

104TH CONGRESS
2D SESSION

H.R. 3814

IN THE SENATE OF THE UNITED STATES

JULY 25, 1996

Received; read twice and referred to the Committee on Appropriations

AN ACT

Making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1997, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 fiscal year ending September 30, 1997, and for other pur-
4 poses, namely:

5 TITLE I—DEPARTMENT OF JUSTICE

6 GENERAL ADMINISTRATION

7 SALARIES AND EXPENSES

8 For expenses necessary for the administration of the
9 Department of Justice, \$71,493,000; of which not to ex-
10 ceed \$3,317,000 is for the Facilities Program 2000, to
11 remain available until expended: *Provided*, That not to ex-
12 ceed 43 permanent positions and 44 full-time equivalent
13 workyears and \$7,477,000 shall be expended for the De-
14 partment Leadership Program only for the Offices of the
15 Attorney General and the Deputy Attorney General, exclu-
16 sive of augmentation that occurred in these offices in fiscal
17 year 1996: *Provided further*, That not to exceed 71 perma-
18 nent positions and 85 full-time equivalent workyears and
19 \$8,987,000 shall be expended for the Offices of Legislative
20 Affairs, Public Affairs and Policy Development: *Provided*
21 *further*, That the latter three aforementioned offices shall
22 not be augmented by personnel details, temporary trans-
23 fers of personnel on either a reimbursable or non-reim-
24 bursable basis or any other type of formal or informal

1 transfer or reimbursement of personnel or funds on either
2 a temporary or long-term basis.

3 In addition, for reimbursement of expenses associated
4 with implementation of drug testing initiatives for persons
5 arrested and convicted of Federal offenses, \$7,000,000, to
6 remain available until expended.

7 COUNTERTERRORISM FUND

8 For necessary expenses, as determined by the Attor-
9 ney General, \$9,450,000, to remain available until ex-
10 pended, to reimburse any Department of Justice organiza-
11 tion for (1) the costs incurred in reestablishing the oper-
12 ational capability of an office or facility which has been
13 damaged or destroyed as a result of the bombing of the
14 Alfred P. Murrah Federal Building in Oklahoma City or
15 any domestic or international terrorist incident, (2) the
16 costs of providing support to counter, investigate or pros-
17 ecute domestic or international terrorism, including pay-
18 ment of rewards in connection with these activities, and
19 (3) the costs of conducting a terrorism threat assessment
20 of Federal agencies and their facilities: *Provided*, That
21 funds provided under this heading shall be available only
22 after the Attorney General notifies the Committees on Ap-
23 propriations of the House of Representatives and the Sen-
24 ate in accordance with section 605 of this Act.

1 ADMINISTRATIVE REVIEW AND APPEALS

2 For expenses necessary for the administration of par-
3 don and clemency petitions and immigration related activi-
4 ties, \$64,000,000.

5 VIOLENT CRIME REDUCTION PROGRAMS, ADMINISTRATIVE
6 REVIEW AND APPEALS

7 For activities authorized by section 130005 of the
8 Violent Crime Control and Law Enforcement Act of 1994
9 (Public Law 103–322), as amended, \$48,000,000, to re-
10 main available until expended, which shall be derived from
11 the Violent Crime Reduction Trust Fund.

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector
14 General in carrying out the provisions of the Inspector
15 General Act of 1978, as amended, \$31,960,000; including
16 not to exceed \$10,000 to meet unforeseen emergencies of
17 a confidential character, to be expended under the direc-
18 tion of, and to be accounted for solely under the certificate
19 of, the Attorney General; and for the acquisition, lease,
20 maintenance, and operation of motor vehicles, without re-
21 gard to the general purchase price limitation for the cur-
22 rent fiscal year.

23 UNITED STATES PAROLE COMMISSION

24 SALARIES AND EXPENSES

25 For necessary expenses of the United States Parole
26 Commission as authorized by law, \$4,490,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses, necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia; \$420,793,000; of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the funds available in this appropriation, not to exceed \$17,525,000 shall remain available until expended for office automation systems for the legal divisions covered by this appropriation, and for the United States Attorneys, the Antitrust Division, and offices funded through “Salaries and Expenses”, General Administration: *Provided further*, That of the total amount appropriated, not to exceed \$1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: *Provided further*, That notwithstanding 31 U.S.C. 1342, the Attorney General may accept on behalf of the United States, and credit to this appropriation, gifts of money, personal property and services, for the purposes of hosting the International Criminal

1 Police Organization's (INTERPOL) American Regional
 2 Conference in the United States during fiscal year 1997.

3 In addition, for reimbursement of expenses of the De-
 4 partment of Justice associated with processing cases
 5 under the National Childhood Vaccine Injury Act of 1986
 6 as amended, not to exceed \$4,028,000, to be appropriated
 7 from the Vaccine Injury Compensation Trust Fund.

8 VIOLENT CRIME REDUCTION PROGRAMS,
 9 GENERAL LEGAL ACTIVITIES

10 For the expeditious deportation of denied asylum ap-
 11 plicants, as authorized by section 130005 of the Violent
 12 Crime Control and Law Enforcement Act of 1994 (Public
 13 Law 103-322), as amended, \$7,750,000, to remain avail-
 14 able until expended, which shall be derived from the Vio-
 15 lent Crime Reduction Trust Fund.

16 SALARIES AND EXPENSES, ANTITRUST DIVISION

17 For expenses necessary for the enforcement of anti-
 18 trust and kindred laws, \$76,447,000: *Provided*, That not-
 19 withstanding any other provision of law, not to exceed
 20 \$58,905,000 of offsetting collections derived from fees col-
 21 lected for premerger notification filings under the Hart-
 22 Scott-Rodino Antitrust Improvements Act of 1976 (15
 23 U.S.C. 18(a)) shall be retained and used for necessary ex-
 24 penses in this appropriation, and shall remain available
 25 until expended: *Provided further*, That the sum herein ap-
 26 propriated from the General Fund shall be reduced as

1 such offsetting collections are received during fiscal year
2 1997, so as to result in a final fiscal year 1997 appropria-
3 tion from the General Fund estimated at not more than
4 \$17,542,000: *Provided further*, That any fees received in
5 excess of \$58,905,000 in fiscal year 1997, shall remain
6 available until expended, but shall not be available for obli-
7 gation until October 1, 1997.

8 SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

9 For necessary expenses of the Office of the United
10 States Attorneys, including intergovernmental agree-
11 ments, \$931,029,000; of which not to exceed \$2,500,000
12 shall be available until September 30, 1998, for the pur-
13 poses of (1) providing training of personnel of the Depart-
14 ment of Justice in debt collection, (2) providing services
15 to the Department of Justice related to locating debtors
16 and their property, such as title searches, debtor
17 skiptracing, asset searches, credit reports and other inves-
18 tigations, (3) paying the costs of the Department of Jus-
19 tice for the sale of property not covered by the sale pro-
20 ceeds, such as auctioneers' fees and expenses, maintenance
21 and protection of property and businesses, advertising and
22 title search and surveying costs, and (4) paying the costs
23 of processing and tracking debts owed to the United
24 States Government: *Provided*, That of the total amount
25 appropriated, not to exceed \$8,000 shall be available for
26 official reception and representation expenses: *Provided*

1 *further*, That not to exceed \$10,000,000 of those funds
 2 available for automated litigation support contracts shall
 3 remain available until expended: *Provided further*, That in
 4 addition to reimbursable full-time equivalent workyears
 5 available to the Office of the United States Attorneys, not
 6 to exceed 8,758 positions and 8,989 full-time equivalent
 7 workyears shall be supported from the funds appropriated
 8 in this Act for the United States Attorneys.

9 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES
 10 ATTORNEYS

11 For activities authorized by sections 40114, 130005,
 12 190001(b), 190001(d) and 250005 of the Violent Crime
 13 Control and Law Enforcement Act of 1994 (Public Law
 14 103–322), as amended, and section 815 of the
 15 Antiterrorism and Effective Death Penalty Act of 1996
 16 (Public Law 104–132), \$43,876,000, to remain available
 17 until expended, which shall be derived from the Violent
 18 Crime Reduction Trust Fund, of which \$22,166,000 shall
 19 be available to help meet the increased demands for litiga-
 20 tion and related activities, \$500,000 for telemarketing
 21 fraud, \$10,577,000 for Southwest Border Control,
 22 \$1,000,000 for Federal victim counselors, and \$9,633,000
 23 for expeditious deportation of denied asylum applicants.

24 UNITED STATES TRUSTEE SYSTEM FUND

25 For necessary expenses of the United States Trustee
 26 Program, as authorized by 28 U.S.C. 589a(a),

1 \$107,950,000, to remain available until expended and to
2 be derived from the United States Trustee System Fund:
3 *Provided*, That notwithstanding any other provision of
4 law, deposits to the Fund shall be available in such
5 amounts as may be necessary to pay refunds due deposi-
6 tors: *Provided further*, That notwithstanding any other
7 provision of law, \$107,950,000 of offsetting collections de-
8 rived from fees collected pursuant to 28 U.S.C. 589a(b)
9 shall be retained and used for necessary expenses in this
10 appropriation and remain available until expended: *Pro-*
11 *vided further*, That the sum herein appropriated from the
12 Fund shall be reduced as such offsetting collections are
13 received during fiscal year 1997, so as to result in a final
14 fiscal year 1997 appropriation from the Fund estimated
15 at \$0: *Provided further*, That any such fees collected in
16 excess of \$107,950,000 in fiscal year 1997 shall remain
17 available until expended but shall not be available for obli-
18 gation until October 1, 1997.

19 SALARIES AND EXPENSES, FOREIGN CLAIMS

20 SETTLEMENT COMMISSION

21 For expenses necessary to carry out the activities of
22 the Foreign Claims Settlement Commission, including
23 services as authorized by 5 U.S.C. 3109, \$878,000.

1 SALARIES AND EXPENSES, UNITED STATES MARSHALS
2 SERVICE

3 For necessary expenses of the United States Mar-
4 shals Service; including the acquisition, lease, mainte-
5 nance, and operation of vehicles and aircraft, and the pur-
6 chase of passenger motor vehicles for police-type use, with-
7 out regard to the general purchase price limitation for the
8 current fiscal year, \$460,214,000, as authorized by 28
9 U.S.C. 561(i); of which not to exceed \$6,000 shall be
10 available for official reception and representation ex-
11 penses; and of which not to exceed \$4,000,000 for develop-
12 ment, implementation, maintenance and support, and
13 training for an automated prisoner information system,
14 and \$2,200,000 to support the Justice Prisoner and Alien
15 Transportation System, shall remain available until ex-
16 pended: *Provided*, That, with respect to the amounts ap-
17 propriated above, the service of maintaining and trans-
18 porting State, local, or territorial prisoners shall be consid-
19 ered a specialized or technical service for purposes of 31
20 U.S.C. 6505, and any prisoners so transported shall be
21 considered persons (transported for other than commercial
22 purposes) whose presence is associated with the perform-
23 ance of a governmental function for purposes of 49 U.S.C.
24 40102.

1 VIOLENT CRIME REDUCTION PROGRAMS, UNITED STATES
2 MARSHALS SERVICE

3 For activities authorized by section 190001(b) of the
4 Violent Crime Control and Law Enforcement Act of 1994
5 (Public Law 103–322), as amended, \$25,000,000, to re-
6 main available until expended, which shall be derived from
7 the Violent Crime Reduction Trust Fund.

8 FEDERAL PRISONER DETENTION

9 For expenses, related to United States prisoners in
10 the custody of the United States Marshals Service as au-
11 thorized in 18 U.S.C. 4013, but not including expenses
12 otherwise provided for in appropriations available to the
13 Attorney General, \$405,262,000, as authorized by 28
14 U.S.C. 561(i), to remain available until expended: *Pro-*
15 *vided*, That this appropriation hereafter shall not be avail-
16 able for expenses authorized under 18 U.S.C. 4013(a)(4).

17 FEES AND EXPENSES OF WITNESSES

18 For expenses, mileage, compensation, and per diems
19 of witnesses, for expenses of contracts for the procurement
20 and supervision of expert witnesses, for private counsel ex-
21 penses, and for per diems in lieu of subsistence, as author-
22 ized by law, including advances, \$100,702,000, to remain
23 available until expended; of which not to exceed
24 \$4,750,000 may be made available for planning, construc-
25 tion, renovations, maintenance, remodeling, and repair of
26 buildings, and the purchase of equipment incident thereto,

1 for protected witness safesites; of which not to exceed
2 \$1,000,000 may be made available for the purchase and
3 maintenance of armored vehicles for transportation of pro-
4 tected witnesses; and of which not to exceed \$4,000,000
5 may be made available for the purchase, installation and
6 maintenance of a secure, automated information network
7 to store and retrieve the identities and locations of pro-
8 tected witnesses.

9 SALARIES AND EXPENSES, COMMUNITY RELATIONS

10 SERVICE

11 For necessary expenses of the Community Relations
12 Service, established by title X of the Civil Rights Act of
13 1964, \$5,319,000: *Provided*, That notwithstanding any
14 other provision of law, upon a determination by the Attor-
15 ney General that emergent circumstances require addi-
16 tional funding for conflict prevention and resolution activi-
17 ties of the Community Relations Service, the Attorney
18 General may transfer such amounts to the Community Re-
19 lations Service, from available appropriations for the cur-
20 rent fiscal year for the Department of Justice, as may be
21 necessary to respond to such circumstances: *Provided fur-*
22 *ther*, That any transfer pursuant to this paragraph shall
23 be treated as a reprogramming under section 605 of this
24 Act and shall not be available for obligation or expenditure
25 except in compliance with the procedures set forth in that
26 section.

1 ASSETS FORFEITURE FUND

2 For expenses authorized by 28 U.S.C. 524(c)(1)
3 (A)(ii), (B), (C), (F), and (G), as amended, \$30,000,000
4 (reduced by \$14,000,000), to be derived from the Depart-
5 ment of Justice Assets Forfeiture Fund.

6 RADIATION EXPOSURE COMPENSATION

7 ADMINISTRATIVE EXPENSES

8 For necessary administrative expenses in accordance
9 with the Radiation Exposure Compensation Act,
10 \$2,000,000.

11 PAYMENT TO RADIATION EXPOSURE COMPENSATION

12 TRUST FUND

13 For payments to the Radiation Exposure Compensa-
14 tion Trust Fund, \$13,736,000, not to be available for ob-
15 ligation until September 30, 1997.

16 INTERAGENCY LAW ENFORCEMENT

17 INTERAGENCY CRIME AND DRUG ENFORCEMENT

18 For necessary expenses for the detection, investiga-
19 tion, and prosecution of individuals involved in organized
20 crime drug trafficking not otherwise provided for, to in-
21 clude intergovernmental agreements with State and local
22 law enforcement agencies engaged in the investigation and
23 prosecution of individuals involved in organized crime drug
24 trafficking, \$372,017,000, of which \$50,000,000 shall re-
25 main available until expended: *Provided*, That any
26 amounts obligated from appropriations under this heading

1 may be used under authorities available to the organiza-
2 tions reimbursed from this appropriation: *Provided fur-*
3 *ther*, That any unobligated balances remaining available
4 at the end of the fiscal year shall revert to the Attorney
5 General for reallocation among participating organizations
6 in succeeding fiscal years, subject to the reprogramming
7 procedures described in section 605 of this Act.

8 FEDERAL BUREAU OF INVESTIGATION

9 SALARIES AND EXPENSES

10 For necessary expenses of the Federal Bureau of In-
11 vestigation for detection, investigation, and prosecution of
12 crimes against the United States; including purchase for
13 police-type use of not to exceed 2,706 passenger motor ve-
14 hicles, of which 1,945 will be for replacement only, without
15 regard to the general purchase price limitation for the cur-
16 rent fiscal year, and hire of passenger motor vehicles; ac-
17 quisition, lease, maintenance, and operation of aircraft;
18 and not to exceed \$70,000 to meet unforeseen emergencies
19 of a confidential character, to be expended under the di-
20 rection of, and to be accounted for solely under the certifi-
21 cate of, the Attorney General; \$2,528,706,000, of which
22 not to exceed \$50,000,000 for automated data processing
23 and telecommunications and technical investigative equip-
24 ment and \$1,000,000 for undercover operations shall re-
25 main available until September 30, 1998; of which not less

1 than \$133,081,000 shall be for counterterrorism inves-
2 tigations, foreign counterintelligence, and other activities
3 related to our national security; of which not to exceed
4 \$98,400,000 shall remain available until expended; of
5 which not to exceed \$10,000,000 is authorized to be made
6 available for making payments or advances for expenses
7 arising out of contractual or reimbursable agreements
8 with State and local law enforcement agencies while en-
9 gaged in cooperative activities related to violent crime, ter-
10 rorism, organized crime, and drug investigations; and of
11 which \$1,500,000 shall be available to maintain an inde-
12 pendent program office dedicated solely to the relocation
13 of the Criminal Justice Information Services Division and
14 the automation of fingerprint identification services: *Pro-*
15 *vided*, That not to exceed \$45,000 shall be available for
16 official reception and representation expenses.

17 VIOLENT CRIME REDUCTION PROGRAMS

18 For activities authorized by the Violent Crime Con-
19 trol and Law Enforcement Act of 1994 (Public Law 103–
20 322) as amended (“the 1994 Act”), and the Antiterrorism
21 and Effective Death Penalty Act of 1996 (“the
22 Antiterrorism Act”), \$153,000,000, to remain available
23 until expended, which shall be derived from the Violent
24 Crime Reduction Trust Fund; of which \$56,077,000 shall
25 be for activities authorized by section 190001(c) of the
26 1994 Act and section 811 of the Antiterrorism Act;

1 \$76,423,000 shall be for activities authorized by section
2 190001(b) of the 1994 Act, of which \$20,240,000 shall
3 be for activities authorized by section 103 of the Brady
4 Handgun Violence Prevention Act (Public Law 103–159),
5 as amended; \$4,000,000 shall be for training and inves-
6 tigative assistance authorized by section 210501 of the
7 1994 Act; \$9,500,000 shall be for grants to States, as au-
8 thorized by section 811(b) of the Antiterrorism Act;
9 \$5,500,000 shall be for establishing DNA quality-assur-
10 ance and proficiency-testing standards, establishing an
11 index to facilitate law enforcement exchange of DNA iden-
12 tification information, and related activities authorized by
13 section 210501 of the 1994 Act; and \$1,500,000 shall be
14 for investigative support for Senior Citizens Against Mar-
15 keting Scams, as authorized by section 250005 of the
16 1994 Act.

17 CONSTRUCTION

18 For necessary expenses to construct or acquire build-
19 ings and sites by purchase, or as otherwise authorized by
20 law (including equipment for such buildings); conversion
21 and extension of federally-owned buildings; and prelimi-
22 nary planning and design of projects; \$55,676,000, to re-
23 main available until expended.

1 DRUG ENFORCEMENT ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Drug Enforcement Ad-
4 ministration, including not to exceed \$70,000 to meet un-
5 foreseen emergencies of a confidential character, to be ex-
6 pended under the direction of, and to be accounted for
7 solely under the certificate of, the Attorney General; ex-
8 penses for conducting drug education and training pro-
9 grams, including travel and related expenses for partici-
10 pants in such programs and the distribution of items of
11 token value that promote the goals of such programs; pur-
12 chase of not to exceed 1,158 passenger motor vehicles, of
13 which 1,032 will be for replacement only, for police-type
14 use without regard to the general purchase price limitation
15 for the current fiscal year; and acquisition, lease, mainte-
16 nance, and operation of aircraft; \$733,038,000, of which
17 not to exceed \$1,800,000 for research and \$15,000,000
18 for transfer to the Drug Diversion Control Fee Account
19 for operating expenses shall remain available until ex-
20 pended, and of which not to exceed \$4,000,000 for pur-
21 chase of evidence and payments for information, not to
22 exceed \$4,000,000 for contracting for automated data
23 processing and telecommunications equipment, and not to
24 exceed \$2,000,000 for laboratory equipment, \$4,000,000
25 for technical equipment, and \$2,000,000 for aircraft re-

1 placement retrofit and parts, shall remain available until
2 September 30, 1998; and of which not to exceed \$50,000
3 shall be available for official reception and representation
4 expenses.

5 VIOLENT CRIME REDUCTION PROGRAMS

6 (INCLUDING TRANSFER OF FUNDS)

7 For activities authorized by sections 180104 and
8 190001(b) of the Violent Crime Control and Law Enforce-
9 ment Act of 1994 (Public Law 103–322), as amended,
10 and section 814 of the Antiterrorism and Effective Death
11 Penalty Act of 1996 (Public Law 104–132), and for the
12 purchase of passenger motor vehicles for police-type use,
13 as otherwise authorized in this title, \$243,000,000, to re-
14 main available until expended, which shall be derived from
15 the Violent Crime Reduction Trust Fund: *Provided*, That
16 \$71,000,000 shall be derived by transfer from Community
17 Oriented Policing Services, Violent Crime Reduction Pro-
18 grams, for the purpose of providing State and local police
19 officers with equipment, conveyances, overtime and other
20 expenses associated with their participation on drug task
21 forces.

22 IMMIGRATION AND NATURALIZATION SERVICE

23 SALARIES AND EXPENSES

24 For expenses, not otherwise provided for, necessary
25 for the administration and enforcement of the laws relat-
26 ing to immigration, naturalization, and alien registration,

1 including not to exceed \$50,000 to meet unforeseen emer-
2 gencies of a confidential character, to be expended under
3 the direction of, and to be accounted for solely under the
4 certificate of, the Attorney General; purchase for police-
5 type use (not to exceed 2,691, of which 1,711 are for re-
6 placement only), without regard to the general purchase
7 price limitation for the current fiscal year, and hire of pas-
8 senger motor vehicles; acquisition, lease, maintenance and
9 operation of aircraft; and research related to immigration
10 enforcement; \$1,667,614,000, of which not to exceed
11 \$400,000 for research shall remain available until ex-
12 pended; and of which not to exceed \$10,000,000 shall be
13 available for costs associated with the training program
14 for basic officer training, and \$5,000,000 is for payments
15 or advances arising out of contractual or reimbursable
16 agreements with State and local law enforcement agencies
17 while engaged in cooperative activities related to immigra-
18 tion: *Provided*, That none of the funds available to the Im-
19 migration and Naturalization Service shall be available to
20 pay any employee overtime pay in an amount in excess
21 of \$30,000 during the calendar year beginning January
22 1, 1997: *Provided further*, That uniforms may be pur-
23 chased without regard to the general purchase price limi-
24 tation for the current fiscal year: *Provided further*, That
25 not to exceed \$5,000 shall be available for official recep-

tion and representation expenses: *Provided further*, That none of the funds provided in this or any other Act shall be used for the continued operation of the San Clemente and Temecula checkpoints unless the checkpoints are open and traffic is being checked on a continuous 24-hour basis: *Provided further*, That the Land Border Fee Pilot Project scheduled to end September 30, 1996, is extended to September 30, 1999 for projects on both the northern and southern borders of the United States, except that no pilot program may implement a universal land border crossing toll.

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by sections 130002, 130005, 130006, 130007, and 190001(b) of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322), as amended, and section 813 of the Antiterrorism and Effective Death Penalty Act of 1996 (Public Law 104–132), \$500,168,000, to remain available until expended, which will be derived from the Violent Crime Reduction Trust Fund, of which \$95,784,000 shall be for expeditious deportation of denied asylum applicants, \$287,857,000 shall be for improving border controls, and \$116,527,000 shall be for detention and deportation proceedings: *Provided*, That amounts not required for asylum processing provided under the expeditious deportation of

1 denied asylum applicants shall also be available for other
2 deportation program activities.

3 CONSTRUCTION

4 For planning, construction, renovation, equipping,
5 and maintenance of buildings and facilities necessary for
6 the administration and enforcement of the laws relating
7 to immigration, naturalization, and alien registration, not
8 otherwise provided for, \$9,841,000, to remain available
9 until expended.

10 FEDERAL PRISON SYSTEM

11 SALARIES AND EXPENSES

12 For expenses necessary for the administration, oper-
13 ation, and maintenance of Federal penal and correctional
14 institutions, including purchase (not to exceed 836, of
15 which 572 are for replacement only), and hire of law en-
16 forcement and passenger motor vehicles; and for the provi-
17 sion of technical assistance and advice on corrections re-
18 lated issues to foreign governments; \$2,817,816,000 (re-
19 duced by \$45,000,000): *Provided*, That the Attorney Gen-
20 eral may transfer to the Health Resources and Services
21 Administration such amounts as may be necessary for di-
22 rect expenditures by that Administration for medical relief
23 for inmates of Federal penal and correctional institutions:
24 *Provided further*, That the Director of the Federal Prison
25 System (FPS), where necessary, may enter into contracts
26 with a fiscal agent/fiscal intermediary claims processor to

1 determine the amounts payable to persons who, on behalf
2 of the FPS, furnish health services to individuals commit-
3 ted to the custody of the FPS: *Provided further*, That uni-
4 forms may be purchased without regard to the general
5 purchase price limitation for the current fiscal year: *Pro-*
6 *vided further*, That not to exceed \$6,000 shall be available
7 for official reception and representation expenses: *Pro-*
8 *vided further*, That not to exceed \$50,000,000 for the acti-
9 vation of new facilities shall remain available until Sep-
10 tember 30, 1998: *Provided further*, That of the amounts
11 provided for Contract Confinement, not to exceed
12 \$20,000,000 shall remain available until expended to
13 make payments in advance for grants, contracts and reim-
14 bursable agreements, and other expenses authorized by
15 section 501(c) of the Refugee Education Assistance Act
16 of 1980, as amended, for the care and security in the
17 United States of Cuban and Haitian entrants: *Provided*
18 *further*, That notwithstanding section 4(d) of the Service
19 Contract Act of 1965 (41 U.S.C. 353(d)), FPS may enter
20 into contracts and other agreements with private entities
21 for periods of not to exceed 3 years and 7 additional option
22 years for the confinement of Federal prisoners: *Provided*
23 *further*, That the National Institute of Corrections here-
24 after shall be included in the FPS Salaries and Expenses
25 budget, in the Contract Confinement program and shall

1 continue to perform its current functions under 18 U.S.C.
2 4351, et seq., with the exception of its grant program and
3 shall collect reimbursement for services whenever possible:
4 *Provided further*, That any unexpended balances available
5 to the “National Institute of Corrections” account shall
6 be credited to and merged with this appropriation, to re-
7 main available until expended.

8 VIOLENT CRIME REDUCTION PROGRAMS

9 For substance abuse treatment in Federal prisons as
10 authorized by section 32001(e) of the Violent Crime Con-
11 trol and Law Enforcement Act of 1994 (Public Law 103–
12 322), as amended, \$25,224,000, to remain available until
13 expended, which shall be derived from the Violent Crime
14 Reduction Trust Fund.

15 BUILDINGS AND FACILITIES

16 For planning, acquisition of sites and construction of
17 new facilities; leasing the Oklahoma City Airport Trust
18 Facility; purchase and acquisition of facilities and remod-
19 eling; and equipping of such facilities for penal and correc-
20 tional use, including all necessary expenses incident there-
21 to, by contract or force account; and constructing, remod-
22 eling, and equipping necessary buildings and facilities at
23 existing penal and correctional institutions, including all
24 necessary expenses incident thereto, by contract or force
25 account; \$395,700,000, to remain available until ex-
26 pended, of which not to exceed \$14,074,000 shall be avail-

1 able to construct areas for inmate work programs: *Pro-*
2 *vided*, That labor of United States prisoners may be used
3 for work performed under this appropriation: *Provided*
4 *further*, That not to exceed 10 percent of the funds appro-
5 priated to “Buildings and Facilities” in this Act or any
6 other Act may be transferred to “Salaries and Expenses”,
7 Federal Prison System, upon notification by the Attorney
8 General to the Committees on Appropriations of the
9 House of Representatives and the Senate in compliance
10 with provisions set forth in section 605 of this Act: *Pro-*
11 *vided further*, That of the total amount appropriated, not
12 to exceed \$36,570,000 shall be available for the renovation
13 and construction of United States Marshals Service pris-
14 oner-holding facilities.

15 FEDERAL PRISON INDUSTRIES, INCORPORATED

16 The Federal Prison Industries, Incorporated, is here-
17 by authorized to make such expenditures, within the limits
18 of funds and borrowing authority available, and in accord
19 with the law, and to make such contracts and commit-
20 ments, without regard to fiscal year limitations as pro-
21 vided by section 9104 of title 31, United States Code, as
22 may be necessary in carrying out the program set forth
23 in the budget for the current fiscal year for such corpora-
24 tion, including purchase of (not to exceed five for replace-
25 ment only), and hire of passenger motor vehicles.

1 LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL
2 PRISON INDUSTRIES, INCORPORATED

3 Not to exceed \$3,042,000 of the funds of the corpora-
4 tion shall be available for its administrative expenses, and
5 for services as authorized by 5 U.S.C. 3109, to be com-
6 puted on an accrual basis to be determined in accordance
7 with the corporation's current prescribed accounting sys-
8 tem, and such amounts shall be exclusive of depreciation,
9 payment of claims, and expenditures which the said ac-
10 counting system requires to be capitalized or charged to
11 cost of commodities acquired or produced, including sell-
12 ing and shipping expenses, and expenses in connection
13 with acquisition, construction, operation, maintenance, im-
14 provement, protection, or disposition of facilities and other
15 property belonging to the corporation or in which it has
16 an interest.

17 OFFICE OF JUSTICE PROGRAMS
18 JUSTICE ASSISTANCE

19 For grants, contracts, cooperative agreements, and
20 other assistance authorized by title I of the Omnibus
21 Crime Control and Safe Streets Act of 1968, as amended,
22 and the Missing Children's Assistance Act, as amended,
23 including salaries and expenses in connection therewith,
24 and with the Victims of Crime Act of 1984, as amended,
25 \$100,000,000, to remain available until expended, as au-

1 thorized by section 1001 of title I of the Omnibus Crime
2 Control and Safe Streets Act, as amended by Public Law
3 102–534 (106 Stat. 3524): *Provided*, That of the amount
4 made available from the Local Law Enforcement Block
5 Grant for technology programs, \$10,000,000 shall be
6 available for programs under section 820 and section 821
7 of the Antiterrorism and Effective Death Penalty Act of
8 1996 (Public Law 104–132).

9 In addition, for local firefighter and emergency serv-
10 ices training grants, \$5,000,000, to remain available until
11 expended, as authorized by section 819 of the
12 Antiterrorism and Effective Death Penalty Act of 1996
13 (Public Law 104–132; 110 Stat. 1316).

14 STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

15 For grants, contracts, cooperative agreements, and
16 other assistance authorized by part E of title I of the Om-
17 nibus Crime Control and Safe Streets Act of 1968, as
18 amended, for State and Local Narcotics Control and Jus-
19 tice Assistance Improvements, notwithstanding the provi-
20 sions of section 511 of said Act, \$315,000,000, to remain
21 available until expended, as authorized by section 1001 of
22 title I of said Act, as amended by Public Law 102–534
23 (106 Stat. 3524), of which \$60,000,000 shall be available
24 to carry out the provisions of chapter A of subpart 2 of
25 part E of title I of said Act, for discretionary grants under

1 the Edward Byrne Memorial State and Local Law En-
2 forcement Assistance Programs.

3 VIOLENT CRIME REDUCTION PROGRAMS, STATE AND
4 LOCAL LAW ENFORCEMENT ASSISTANCE

5 For assistance (including amounts for administrative
6 costs for management and administration, which amounts
7 shall be transferred to and merged with the “Justice As-
8 sistance” account) authorized by the Violent Crime Con-
9 trol and Law Enforcement Act of 1994 (Public Law 103–
10 322), as amended (“the 1994 Act”); the Omnibus Crime
11 Control and Safe Streets Act of 1968, as amended (“the
12 1968 Act”); and the Victims of Child Abuse Act of 1990,
13 as amended (“the 1990 Act”); \$2,119,900,000, to remain
14 available until expended, which shall be derived from the
15 Violent Crime Reduction Trust Fund; of which
16 \$571,000,000 shall be for Local Law Enforcement Block
17 Grants, pursuant to H.R. 728 as passed by the House of
18 Representatives on February 14, 1995, except that for
19 purposes of this Act, the Commonwealth of Puerto Rico
20 shall be considered a “unit of local government” as well
21 as a “State”, for the purposes set forth in paragraphs (A),
22 (B), (D), (F), and (I) of section 101(a)(2) of H.R. 728
23 and for establishing crime prevention programs involving
24 cooperation between community residents and law enforce-
25 ment personnel in order to control, detect, or investigate

1 crime or the prosecution of criminals: *Provided*, That no
2 funds provided under this heading may be used as match-
3 ing funds for any other Federal grant program: *Provided*
4 *further*, That notwithstanding any other provision of this
5 title, the Attorney General may transfer up to
6 \$18,000,000 of this amount for drug courts pursuant to
7 title V of the 1994 Act, consistent with the reprogram-
8 ming procedures outlined in section 605 of this Act: *Pro-*
9 *vided further*, That funds may also be used to defray the
10 costs of indemnification insurance for law enforcement of-
11 ficers; of which \$50,000,000 shall be for grants to upgrade
12 criminal records, as authorized by section 106(b) of the
13 Brady Handgun Violence Prevention Act of 1993, as
14 amended, and section 4(b) of the National Child Protec-
15 tion Act of 1993; of which \$245,000,000 shall be available
16 as authorized by section 1001 of title I of the 1968 Act,
17 to carry out the provisions of subpart 1, part E of title
18 I of the 1968 Act, notwithstanding section 511 of said
19 Act, for the Edward Byrne Memorial State and Local Law
20 Enforcement Assistance Programs; of which
21 \$330,000,000 shall be for the State Criminal Alien Assist-
22 ance Program, as authorized by section 242(j) of the Im-
23 migration and Nationality Act, as amended; of which
24 \$680,000,000 shall be for Violent Offender Incarceration
25 and Truth in Sentencing Incentive Grants pursuant to

1 subtitle A of title II of the 1994 Act, of which
2 \$170,000,000 shall be available for payments to States for
3 incarceration of criminal aliens, and of which \$12,500,000
4 shall be available for the Cooperative Agreement Program:
5 *Provided further*, That funds made available for Violent
6 Offender Incarceration and Truth in Sentencing Incentive
7 Grants to the State of California may, at the discretion
8 of the recipient, be used for payments for the incarceration
9 of criminal aliens; of which \$6,000,000 shall be for the
10 Court Appointed Special Advocate Program, as authorized
11 by section 218 of the 1990 Act; of which \$1,000,000 shall
12 be for Child Abuse Training Programs for Judicial Per-
13 sonnel and Practitioners, as authorized by section 224 of
14 the 1990 Act; of which \$145,000,000 shall be for Grants
15 to Combat Violence Against Women to States, units of
16 local government and Indian tribal governments, as au-
17 thorized by section 1001(a)(18) of the 1968 Act; of which
18 \$33,000,000 shall be for Grants to Encourage Arrest Poli-
19 cies to States, units of local government, and Indian tribal
20 governments, as authorized by section 1001(a)(19) of the
21 1968 Act; of which \$8,000,000 shall be for Rural Domes-
22 tic Violence and Child Abuse Enforcement Assistance
23 Grants, as authorized by section 40295 of the 1994 Act;
24 of which \$1,000,000 shall be for training programs to as-
25 sist probation and parole officers who work with released

1 sex offenders, as authorized by section 40152(c) of the
2 1994 Act; of which \$550,000 shall be for grants for tele-
3 vised testimony, as authorized by section 1001(a)(7) of the
4 1968 Act; of which \$1,750,000 shall be for national stalk-
5 er and domestic violence reduction, as authorized by sec-
6 tion 40603 of the 1994 Act; of which \$35,000,000 shall
7 be for grants for residential substance abuse treatment for
8 State prisoners as authorized by section 1001(a)(17) of
9 the 1968 Act; of which \$3,000,000 shall be for grants to
10 States and units of local government for projects to im-
11 prove DNA analysis, as authorized by section 1001(a)(22)
12 of the 1968 Act; of which \$1,000,000 shall be for Law
13 Enforcement Family Support Programs, as authorized by
14 section 1001(a)(21) of the 1968 Act; of which \$900,000
15 shall be for the Missing Alzheimer's Disease Patient Alert
16 Program, as authorized by section 240001(c) of the 1994
17 Act; of which \$500,000 shall be for Motor Vehicle Theft
18 Prevention Programs, as authorized by section 220002(h)
19 of the 1994 Act; of which \$5,000,000 shall be for State
20 Courts Assistance Grants, as authorized by section
21 210602 of the 1994 Act; of which \$200,000 shall be for
22 a National Baseline Study on Campus Sexual Assault, as
23 authorized by section 40506(e) of the 1994 Act; and of
24 which \$2,000,000 shall be for public awareness programs
25 addressing marketing scams aimed at senior citizens, as

1 authorized by section 250005(3) of the 1994 Act: *Provided*
2 *further*, That funds made available in fiscal year 1997
3 under subpart 1 of part E of title I of the Omnibus Crime
4 Control and Safe Streets Act of 1968, as amended, may
5 be obligated for programs to assist States in the litigation
6 processing of death penalty Federal habeas corpus peti-
7 tions and for drug testing initiatives: *Provided further*,
8 That any 1996 balances for these programs shall be trans-
9 ferred to and merged with this appropriation: *Provided*
10 *further*, That if a unit of local government uses any of
11 the funds made available under this title to increase the
12 number of law enforcement officers, the unit of local gov-
13 ernment will achieve a net gain in the number of law en-
14 forcement officers who perform nonadministrative public
15 safety service.

16 WEED AND SEED PROGRAM FUND

17 For necessary expenses, including salaries and relat-
18 ed expenses of the Executive Office for Weed and Seed,
19 to implement “Weed and Seed” program activities,
20 \$28,500,000, which shall be derived from discretionary
21 grants provided under the Edward Byrne Memorial State
22 and Local Law Enforcement Assistance Programs, to re-
23 main available until expended for intergovernmental
24 agreements, including grants, cooperative agreements, and
25 contracts, with State and local law enforcement agencies
26 engaged in the investigation and prosecution of violent

1 crimes and drug offenses in “Weed and Seed” designated
 2 communities, and for either reimbursements or transfers
 3 to appropriation accounts of the Department of Justice
 4 and other Federal agencies which shall be specified by the
 5 Attorney General to execute the “Weed and Seed” pro-
 6 gram strategy: *Provided*, That funds designated by Con-
 7 gress through language for other Department of Justice
 8 appropriation accounts for “Weed and Seed” program ac-
 9 tivities shall be managed and executed by the Attorney
 10 General through the Executive Office for Weed and Seed:
 11 *Provided further*, That the Attorney General may direct
 12 the use of other Department of Justice funds and person-
 13 nel in support of “Weed and Seed” program activities only
 14 after the Attorney General notifies the Committees on Ap-
 15 propriations of the House of Representatives and the Sen-
 16 ate in accordance with section 605 of this Act.

17 COMMUNITY ORIENTED POLICING SERVICES

18 VIOLENT CRIME REDUCTION PROGRAMS

19 For activities authorized by the Violent Crime
 20 Control and Law Enforcement Act of 1994, Public Law
 21 103–322 (“the 1994 Act”) (including administrative
 22 costs), \$1,400,000,000, to remain available until ex-
 23 pended, which shall be derived from the Violent Crime
 24 Reduction Trust Fund, for Public Safety and Community
 25 Policing Grants pursuant to title I of the 1994 Act: *Pro-*

1 *vided*, That of this amount, \$10,000,000 shall be avail-
2 able for programs of Police Corps education, training and
3 service as set forth in sections 200101–200113 of the
4 1994 Act: *Provided further*, That of this amount,
5 \$71,000,000 shall be transferred to the Drug Enforce-
6 ment Administration for the purpose of providing State
7 and local police officers with equipment, conveyances,
8 overtime and other expenses associated with their partici-
9 pation on drug task forces: *Provided further*, That of this
10 amount, \$30,500,000 shall be for additional grants au-
11 thorized by part B of title II of the Juvenile Justice and
12 Delinquency Prevention Act of 1974, as amended, to re-
13 main available until expended, for the purpose of provid-
14 ing additional formula grants under part B, for innova-
15 tive local law enforcement and community policing pro-
16 grams, to States that provide assurances to the Adminis-
17 trator that the State has in effect (or will have in effect
18 not later than 1 year after date of application) policies
19 and programs, that ensure that juveniles who commit an
20 act after attaining 14 years of age, that would be a seri-
21 ous violent crime if committed by an adult, are treated
22 as adults for purpose of prosecution: *Provided further*,
23 That not to exceed 130 permanent positions and 130
24 full-time equivalent workyears and \$14,602,000 shall be
25 expended for program management and administration.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, \$145,000,000, to remain available until expended, as authorized by section 299 of part I of title II and section 506 of title V of the Act, as amended by Public Law 102–586, of which (1) \$100,000,000 shall be available for expenses authorized by parts A, B, and C of title II of the Act; (2) \$11,000,000 shall be available for expenses authorized by sections 281 and 282 of part D of title II of the Act for prevention and treatment programs relating to juvenile gangs; (3) \$10,000,000 shall be available for expenses authorized by section 285 of part E of title II of the Act; (4) \$4,000,000 shall be available for expenses authorized by part G of title II of the Act for juvenile mentoring programs; and (5) \$20,000,000 shall be available for expenses authorized by title V of the Act for incentive grants for local delinquency prevention programs: *Provided*, That upon the enactment of reauthorization legislation for Juvenile Justice Programs under the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, funding provided in this Act

1 shall from that date be subject to the provisions of that
2 legislation and any provisions in this Act that are incon-
3 sistent with that legislation shall no longer have effect.

4 In addition, for grants, contracts, cooperative agree-
5 ments, and other assistance authorized by the Victims of
6 Child Abuse Act of 1990, as amended, \$4,500,000, to re-
7 main available until expended, as authorized by sections
8 214B of the Act.

9 PUBLIC SAFETY OFFICERS BENEFITS

10 For payments authorized by part L of title I of the
11 Omnibus Crime Control and Safe Streets Act of 1968 (42
12 U.S.C. 3796), as amended, such sums as are necessary,
13 to remain available until expended, as authorized by sec-
14 tion 6093 of Public Law 100–690 (102 Stat. 4339–4340),
15 and, in addition, \$2,200,000, to remain available until ex-
16 pended, for payments as authorized by section 1201(b) of
17 said Act.

18 GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

19 SEC. 101. In addition to amounts otherwise made
20 available in this title for official reception and representa-
21 tion expenses, a total of not to exceed \$45,000 from funds
22 appropriated to the Department of Justice in this title
23 shall be available to the Attorney General for official re-
24 ception and representation expenses in accordance with
25 distributions, procedures, and regulations established by
26 the Attorney General.

1 SEC. 102. Authorities contained in the Department
2 of Justice Appropriation Authorization Act, Fiscal Year
3 1980 (Pub. L. 96–132, 93 Stat. 1040 (1979)), as amend-
4 ed, shall remain in effect until the termination date of this
5 Act or until the effective date of a Department of Justice
6 Appropriation Authorization Act, whichever is earlier.

7 SEC. 103. None of the funds appropriated by this
8 title shall be available to pay for an abortion, except where
9 the life of the mother would be endangered if the fetus
10 were carried to term, or in the case of rape: *Provided*,
11 That should this prohibition be declared unconstitutional
12 by a court of competent jurisdiction, this section shall be
13 null and void.

14 SEC. 104. None of the funds appropriated under this
15 title shall be used to require any person to perform, or
16 facilitate in any way the performance of, any abortion.

17 SEC. 105. Nothing in the preceding section shall re-
18 move the obligation of the Director of the Bureau of Pris-
19 ons to provide escort services necessary for a female in-
20 mate to receive such service outside the Federal facility:
21 *Provided*, That nothing in this section in any way dimin-
22 ishes the effect of section 104 intended to address the phil-
23 osophical beliefs of individual employees of the Bureau of
24 Prisons.

1 SEC. 106. Notwithstanding any other provision of
2 law, not to exceed \$10,000,000 of the funds made avail-
3 able in this Act may be used to establish and publicize
4 a program under which publicly-advertised, extraordinary
5 rewards may be paid, which shall not be subject to spend-
6 ing limitations contained in sections 3059 and 3072 of
7 title 18, United States Code: *Provided*, That any reward
8 of \$100,000 or more, up to a maximum of \$2,000,000,
9 may not be made without the personal approval of the
10 President or the Attorney General and such approval may
11 not be delegated.

12 SEC. 107. Not to exceed 5 percent of any appropria-
13 tion made available for the current fiscal year for the De-
14 partment of Justice in this Act, including those derived
15 from the Violent Crime Reduction Trust Fund, may be
16 transferred between such appropriations, but no such ap-
17 propriation, except as otherwise specifically provided, shall
18 be increased by more than 10 percent by any such trans-
19 fers: *Provided*, That any transfer pursuant to this section
20 shall be treated as a reprogramming of funds under sec-
21 tion 605 of this Act and shall not be available for obliga-
22 tion except in compliance with the procedures set forth
23 in that section.

1 SEC. 108. Section 524(c)(8)(E) of title 28, United
2 States Code, is amended by striking the year in the date
3 therein contained and replacing the same with “1996”.

4 SEC. 109. (a) Section 1930(a) of title 28, United
5 States Code, is amended in paragraph (6), by striking ev-
6 erything after “total less than \$15,000;” and inserting in
7 lieu thereof: “\$500 for each quarter in which disburse-
8 ments total \$15,000 or more but less than \$75,000; \$750
9 for each quarter in which disbursements total \$75,000 or
10 more but less than \$150,000; \$1,250 for each quarter in
11 which disbursements total \$150,000 or more but less than
12 \$225,000; \$1,500 for each quarter in which disbursements
13 total \$225,000 or more but less than \$300,000; \$3,750
14 for each quarter in which disbursements total \$300,000
15 or more but less than \$1,000,000; \$5,000 for each quarter
16 in which disbursements total \$1,000,000 or more but less
17 than \$2,000,000; \$7,500 for each quarter in which dis-
18 bursements total \$2,000,000 or more but less than
19 \$3,000,000; \$8,000 for each quarter in which disburse-
20 ments total \$3,000,000 or more but less than \$5,000,000;
21 \$10,000 for each quarter in which disbursements total
22 \$5,000,000 or more. The fee shall be payable on the last
23 day of the calendar month following the calendar quarter
24 for which the fee is owed.”.

1 (b) Section 589a of title 28, United States Code, is
2 amended to read as follows:

3 **“§ 589a. United States Trustee System Fund**

4 “(a) There is hereby established in the Treasury of
5 the United States a special fund to be known as the ‘Unit-
6 ed States Trustee System Fund’ (hereinafter in this sec-
7 tion referred to as the ‘Fund’). Monies in the Fund shall
8 be available to the Attorney General without fiscal year
9 limitation in such amounts as may be specified in appro-
10 priations Acts for the following purposes in connection
11 with the operations of United States trustees—

- 12 “(1) salaries and related employee benefits;
13 “(2) travel and transportation;
14 “(3) rental of space;
15 “(4) communication, utilities, and miscellaneous
16 computer charges;
17 “(5) security investigations and audits;
18 “(6) supplies, books, and other materials for
19 legal research;
20 “(7) furniture and equipment;
21 “(8) miscellaneous services, including those ob-
22 tained by contract; and
23 “(9) printing.

24 “(b) For the purpose of recovering the cost of services
25 of the United States Trustee System, there shall be depos-

1 ited as offsetting collections to the appropriation ‘United
2 States Trustee System Fund’, to remain available until
3 expended, the following—

4 “(1) 23.08 percent of the fees collected under
5 section 1930(a)(1) of this title;

6 “(2) one-half of the fees collected under section
7 1930(a)(3) of this title;

8 “(3) one-half of the fees collected under section
9 1930(a)(4) of this title;

10 “(4) one-half of the fees collected under section
11 1930(a)(5) of this title;

12 “(5) 100 percent of the fees collected under sec-
13 tion 1930(a)(6) of this title;

14 “(6) three-fourths of the fees collected under
15 the last sentence of section 1930(a) of this title;

16 “(7) the compensation of trustees received
17 under section 330(d) of title 11 by the clerks of the
18 bankruptcy courts; and

19 “(8) excess fees collected under section
20 586(e)(2) of this title.

21 “(c) Amounts in the Fund which are not currently
22 needed for the purposes specified in subsection (a) shall
23 be kept on deposit or invested in obligations of, or guaran-
24 teed by, the United States.

1 “(d) The Attorney General shall transmit to the Con-
2 gress, not later than 120 days after the end of each fiscal
3 year, a detailed report on the amounts deposited in the
4 Fund and a description of expenditures made under this
5 section.

6 “(e) There are authorized to be appropriated to the
7 Fund for any fiscal year such sums as may be necessary
8 to supplement amounts deposited under subsection (b) for
9 the purposes specified in subsection (a).”.

10 (c) Notwithstanding any other provision of law or of
11 this Act, the amendments to 28 U.S.C. 589a made by sub-
12 section (b) of this section shall take effect upon enactment
13 of this Act.

14 SEC. 110. Public Law 103–414 (108 Stat. 4279) is
15 amended by inserting at its conclusion a new title IV, as
16 follows:

17 **“TITLE IV—TELECOMMUNICATIONS**
18 **CARRIER COMPLIANCE PAYMENTS**

19 **“SEC. 401. DEPARTMENT OF JUSTICE TELECOMMUNI-**
20 **CATIONS CARRIER COMPLIANCE FUND.**

21 “(a) ESTABLISHMENT OF FUND.—There is hereby
22 established in the United States Treasury a fund to be
23 known as the Department of Justice Telecommunications
24 Carrier Compliance Fund (hereafter referred to as ‘the
25 Fund’), which shall be available without fiscal year limita-

1 tion to the Attorney General for making payments to tele-
2 communications carriers, equipment manufacturers, and
3 providers of telecommunications support services pursuant
4 to section 109 of this Act.

5 “(b) DEPOSITS TO THE FUND.—Notwithstanding
6 any other provision of law, any agency of the United
7 States with law enforcement or intelligence responsibilities
8 may deposit as offsetting collections to the Fund any un-
9 obligated balances that are available until expended, upon
10 compliance with any Congressional notification require-
11 ments for reprogrammings of funds applicable to the ap-
12 propriation from which the deposit is to be made.

13 “(c) TERMINATION.—

14 “(1) The Attorney General may terminate the
15 Fund at such time as the Attorney General deter-
16 mines that the Fund is no longer necessary.

17 “(2) Any balance in the Fund at the time of its
18 termination shall be deposited in the General Fund
19 of the Treasury.

20 “(3) A decision of the Attorney General to ter-
21 minate the Fund shall not be subject to judicial re-
22 view.

23 “(d) AVAILABILITY OF FUNDS FOR EXPENDITURE.—
24 Funds shall not be available for obligation unless an im-
25 plementation plan as set forth in subsection (e) is submit-

1 ted to each member of the Committees on the Judiciary
2 and Appropriations of both the House of Representatives
3 and the Senate and the Congress does not, within the 60
4 days after the date of such submission, by law block or
5 prevent the obligation of such funds. Such funds shall be
6 treated as a reprogramming of funds under section 605
7 of the Department of Commerce, Justice, and State, the
8 Judiciary, and Related Agencies Appropriations Act,
9 1997, and shall not be available for obligation or expendi-
10 ture except in compliance with the procedures set forth
11 in that section and this section.

12 “(e) IMPLEMENTATION PLAN.—The implementation
13 plan shall include:

14 “(1) law enforcement assistance capability fea-
15 tures including an explanation of how proposed
16 interface and assistance capability requirements ex-
17 ceed or differ from the law enforcement assistance
18 currently provided by carriers;

19 “(2) the actual and maximum number of simul-
20 taneous surveillances/intercepts that law enforcement
21 agencies expect to perform (capacity requirements),
22 as well as the “historical baseline electronic surveil-
23 lance activity” on which the proposed capacity re-
24 quirements are based;

1 “(3) a detailed county by county listing of pro-
2 posed actual and maximum capacity requirements;

3 “(4) the proposed network switch and other as-
4 sistance capability features requested by law enforce-
5 ment that would be required to be installed by tele-
6 communications carriers;

7 “(5) a complete estimate of the full costs of de-
8 velopment and deployment of the assistance capabil-
9 ity features, the full costs of the proposed actual and
10 maximum capacities requested by law enforcement,
11 the full cost of training telecommunications carrier
12 personnel in the use of such capabilities and capac-
13 ities, and to what extent funding of \$500,000,000
14 will be sufficient to fully reimburse telecommuni-
15 cations carriers for the reasonable cost of compliance
16 with this Act; and

17 “(6) a complete estimate of the full and reason-
18 able costs associated with modification to be per-
19 formed by telecommunications carriers of their net-
20 work equipment and facilities installed or deployed
21 after January 1, 1995, which are not proposed for
22 reimbursement.

23 “(f) ANNUAL REPORT TO THE CONGRESS.—The At-
24 torney General shall submit to the Congress each year a
25 report specifically detailing all deposits and expenditures

15 This title may be cited as the “Department of Justice
16 Appropriations Act, 1997”.

19 TRADE AND INFRASTRUCTURE DEVELOPMENT
20 RELATED AGENCIES

23 SALARIES AND EXPENSES

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1 senger motor vehicles and the employment of experts and
2 consultants as authorized by 5 U.S.C. 3109, \$21,449,000,
3 of which \$2,500,000 shall remain available until expended:
4 *Provided*, That not to exceed \$98,000 shall be available
5 for official reception and representation expenses.

6 INTERNATIONAL TRADE COMMISSION

7 SALARIES AND EXPENSES

8 For necessary expenses of the International Trade
9 Commission, including hire of passenger motor vehicles,
10 and services as authorized by 5 U.S.C. 3109, and not to
11 exceed \$2,500 for official reception and representation ex-
12 penses, \$40,000,000, to remain available until expended.

13 DEPARTMENT OF COMMERCE

14 INTERNATIONAL TRADE ADMINISTRATION

15 OPERATIONS AND ADMINISTRATION

16 For necessary expenses for international trade activi-
17 ties of the Department of Commerce provided for by law,
18 and engaging in trade promotional activities abroad, in-
19 cluding expenses of grants and cooperative agreements for
20 the purpose of promoting exports of United States firms,
21 without regard to 44 U.S.C. 3702 and 3703; full medical
22 coverage for dependent members of immediate families of
23 employees stationed overseas and employees temporarily
24 posted overseas; travel and transportation of employees of
25 the United States and Foreign Commercial Service be-

1 tween two points abroad, without regard to 49 U.S.C.
2 1517; employment of Americans and aliens by contract for
3 services; rental of space abroad for periods not exceeding
4 ten years, and expenses of alteration, repair, or improve-
5 ment; purchase or construction of temporary demountable
6 exhibition structures for use abroad; payment of tort
7 claims, in the manner authorized in the first paragraph
8 of 28 U.S.C. 2672 when such claims arise in foreign coun-
9 tries; not to exceed \$327,000 for official representation
10 expenses abroad; purchase of passenger motor vehicles for
11 official use abroad, not to exceed \$30,000 per vehicle; ob-
12 tain insurance on official motor vehicles; and rent tie lines
13 and teletype equipment; \$272,000,000, to remain avail-
14 able until expended: *Provided*, That the provisions of the
15 first sentence of section 105(f) and all of section 108(c)
16 of the Mutual Educational and Cultural Exchange Act of
17 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in car-
18 rying out these activities without regard to section 5412
19 of the Omnibus Trade and Competitiveness Act of 1988
20 (15 U.S.C. 4912); and that for the purpose of this Act,
21 contributions under the provisions of the Mutual Edu-
22 cational and Cultural Exchange Act shall include payment
23 for assessments for services provided as part of these ac-
24 tivities.

EXPORT ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; rental of space abroad for periods not exceeding ten years, and expenses of alteration, repair, or improvement; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law; \$38,604,000, to remain available until expended: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall

1 apply in carrying out these activities: *Provided further,*
2 That payments and contributions collected and accepted
3 for materials or services provided as part of such activities
4 may be retained for use in covering the cost of such activi-
5 ties, and for providing information to the public with re-
6 spect to the export administration and national security
7 activities of the Department of Commerce and other ex-
8 port control programs of the United States and other gov-
9 ernments.

10 ECONOMIC DEVELOPMENT ADMINISTRATION

11 ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

12 For grants for economic development assistance as
13 provided by the Public Works and Economic Development
14 Act of 1965, as amended, Public Law 91–304, and such
15 laws that were in effect immediately before September 30,
16 1982, and for trade adjustment assistance, \$328,500,000:
17 *Provided,* That none of the funds appropriated or other-
18 wise made available under this heading may be used di-
19 rectly or indirectly for attorneys’ or consultants’ fees in
20 connection with securing grants and contracts made by
21 the Economic Development Administration: *Provided fur-*
22 *ther,* That, notwithstanding any other provision of law, the
23 Secretary of Commerce may provide financial assistance
24 for projects to be located on military installations closed
25 or scheduled for closure or realignment to grantees eligible

1 for assistance under the Public Works and Economic De-
 2 velopment Act of 1965, as amended, without it being re-
 3 quired that the grantee have title or ability to obtain a
 4 lease for the property, for the useful life of the project,
 5 when in the opinion of the Secretary of Commerce, such
 6 financial assistance is necessary for the economic develop-
 7 ment of the area: *Provided further*, That the Secretary of
 8 Commerce may, as the Secretary considers appropriate,
 9 consult with the Secretary of Defense regarding the title
 10 to land on military installations closed or scheduled for
 11 closure or realignment.

12 SALARIES AND EXPENSES

13 For necessary expenses of administering the eco-
 14 nomic development assistance programs as provided for by
 15 law, \$20,000,000: *Provided*, That these funds may be used
 16 to monitor projects approved pursuant to title I of the
 17 Public Works Employment Act of 1976, as amended, title
 18 II of the Trade Act of 1974, as amended, and the Commu-
 19 nity Emergency Drought Relief Act of 1977.

20 MINORITY BUSINESS DEVELOPMENT AGENCY

21 MINORITY BUSINESS DEVELOPMENT

22 For necessary expenses of the Department of Com-
 23 merce in fostering, promoting, and developing minority
 24 business enterprise, including expenses of grants, con-
 25 tracts, and other agreements with public or private organi-
 26 zations, \$29,000,000: *Provided*, That of the total amount

1 provided, \$3,000,000 shall be available for obligation and
2 expenditure only for projects jointly developed, imple-
3 mented and administered with the Small Business Admin-
4 istration.

5 ECONOMIC AND INFORMATION INFRASTRUCTURE

6 ECONOMIC AND STATISTICAL ANALYSIS

7 SALARIES AND EXPENSES

8 For necessary expenses, as authorized by law, of eco-
9 nomic and statistical analysis programs of the Department
10 of Commerce, \$45,900,000, to remain available until Sep-
11 tember 30, 1998.

12 ECONOMICS AND STATISTICS ADMINISTRATION

13 REVOLVING FUND

14 The Secretary of Commerce is authorized to dissemi-
15 nate economic and statistical data products as authorized
16 by sections 1, 2, and 4 of Public Law 91–412 (15 U.S.C.
17 1525–1527) and, notwithstanding section 5412 of the
18 Omnibus Trade and Competitiveness Act of 1988 (15
19 U.S.C. 4912), charge fees necessary to recover the full
20 costs incurred in their production. Notwithstanding 31
21 U.S.C. 3302, receipts received from these data dissemina-
22 tion activities shall be credited to this account, to be avail-
23 able for carrying out these purposes without further ap-
24 propriation.

1 BUREAU OF THE CENSUS

2 SALARIES AND EXPENSES

3 For expenses necessary for collecting, compiling, ana-
4 lyzing, preparing, and publishing statistics, provided for
5 by law, \$133,617,000.

6 PERIODIC CENSUSES AND PROGRAMS

7 For expenses necessary to collect and publish statis-
8 ties for periodic censuses and programs provided for by
9 law, \$205,100,000, to remain available until expended.

10 NATIONAL TELECOMMUNICATIONS AND INFORMATION

11 ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses, as provided for by law, of
14 the National Telecommunications and Information Ad-
15 ministration, \$15,000,000 to remain available until ex-
16 pended: *Provided*, That notwithstanding 31 U.S.C.
17 1535(d), the Secretary of Commerce shall charge Federal
18 agencies for costs incurred in spectrum management,
19 analysis, and operations, and related services and such
20 fees shall be retained and used as offsetting collections for
21 costs of such spectrum services, to remain available until
22 expended: *Provided further*, That the Secretary of Com-
23 merce is authorized to retain and use as offsetting collec-
24 tions all funds transferred, or previously transferred, from
25 other Government agencies for all costs incurred in tele-
26 communications research, engineering, and related activi-

1 ties by the Institute for Telecommunication Sciences of
 2 the NTIA, in furtherance of its assigned functions under
 3 this paragraph, and such funds received from other Gov-
 4 ernment agencies shall remain available until expended.

5 PUBLIC BROADCASTING FACILITIES, PLANNING AND
 6 CONSTRUCTION

7 For grants authorized by section 392 of the Commu-
 8 nications Act of 1934, as amended, \$10,250,000 (in-
 9 creased by \$5,000,000), to remain available until ex-
 10 pended as authorized by section 391 of the Act, as amend-
 11 ed: *Provided*, That not to exceed \$1,500,000 shall be avail-
 12 able for program administration as authorized by section
 13 391 of the Act: *Provided further*, That notwithstanding the
 14 provisions of section 391 of the Act, the prior year unobli-
 15 gated balances may be made available for grants for
 16 projects for which applications have been submitted and
 17 approved during any fiscal year.

18 INFORMATION INFRASTRUCTURE GRANTS

19 For grants authorized by section 392 of the Commu-
 20 nications Act of 1934, as amended, \$21,490,000, to re-
 21 main available until expended as authorized by section 391
 22 of the Act, as amended: *Provided*, That not to exceed
 23 \$3,000,000 shall be available for program administration
 24 and other support activities as authorized by section 391:
 25 *Provided further*, That of the funds appropriated herein,
 26 not to exceed 5 percent may be available for telecommuni-

1 cations research activities for projects related directly to
2 the development of a national information infrastructure:
3 *Provided further*, That notwithstanding the requirements
4 of section 392(a) and 392(c) of the Act, these funds may
5 be used for the planning and construction of telecommuni-
6 cations networks for the provision of educational, cultural,
7 health care, public information, public safety, or other so-
8 cial services.

9 PATENT AND TRADEMARK OFFICE

10 SALARIES AND EXPENSES

11 For necessary expenses of the Patent and Trademark
12 Office provided for by law, including defense of suits insti-
13 tuted against the Commissioner of Patents and Trade-
14 marks, \$100,000,000 (reduced by \$33,748,000) (reduced
15 by \$5,000,000), to remain available until expended: *Pro-*
16 *vided*, That the funds made available under this heading
17 are to be derived from deposits in the Patent and Trade-
18 mark Office Fee Surcharge Fund as authorized by law:
19 *Provided further*, That the amounts made available under
20 the Fund shall not exceed amounts deposited; and such
21 fees as shall be collected pursuant to 15 U.S.C. 1113 and
22 35 U.S.C. 41 and 376, shall remain available until ex-
23 pended.

1 SCIENCE AND TECHNOLOGY
2 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
3 SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES
4 For necessary expenses of the National Institute of
5 Standards and Technology, \$268,000,000, to remain
6 available until expended, of which not to exceed
7 \$1,625,000 may be transferred to the “Working Capital
8 Fund”.

9 INDUSTRIAL TECHNOLOGY SERVICES
10 For necessary expenses of the Manufacturing Exten-
11 sion Partnership of the National Institute of Standards
12 and Technology, \$89,900,000, to remain available until
13 expended, of which not to exceed \$300,000 may be trans-
14 ferred to the “Working Capital Fund”.

15 In addition, for necessary expenses of the Advanced
16 Technology Program of the National Institute of Stand-
17 ards and Technology, \$110,500,000, to remain available
18 until expended, of which not to exceed \$500,000 may be
19 transferred to the “Working Capital Fund”: *Provided*,
20 That none of the funds made available under this heading
21 may be used for the purposes of carrying out additional
22 program competitions under the Advanced Technology
23 Program: *Provided further*, That funds made available for
24 the Advanced Technology Program under this heading and
25 any unobligated balances available from carryover of prior
26 year appropriations for such program may be used only

1 for the purposes of providing continuation grants for
2 competitions completed prior to October 1, 1995: *Pro-*
3 *vided further*, That such continuation grants shall be pro-
4 vided only to single applicants or joint venture partici-
5 pants which are small businesses: *Provided further*, That
6 such funds for the Advanced Technology Program are pro-
7 vided for the purposes of closing out all commitments for
8 such program.

9 NATIONAL OCEANIC AND ATMOSPHERIC
10 ADMINISTRATION
11 OPERATIONS, RESEARCH, AND FACILITIES
12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses of activities authorized by
14 law for the National Oceanic and Atmospheric Adminis-
15 tration, including acquisition, maintenance, operation,
16 and hire of aircraft; not to exceed 200 commissioned offi-
17 cers on the active list as of April 1, 1997, and no com-
18 missioned officers on the active list as of September 30,
19 1997; grants, contracts, or other payments to nonprofit
20 organizations for the purposes of conducting activities
21 pursuant to cooperative agreements; and alteration, mod-
22 ernization, and relocation of facilities as authorized by 33
23 U.S.C. 883i; \$1,738,200,000, to remain available until
24 expended: *Provided*, That notwithstanding 31 U.S.C.
25 3302 but consistent with other existing law, fees shall be
26 assessed, collected, and credited to this appropriation as

1 offsetting collections to be available until expended, to re-
2 cover the costs of administering aeronautical charting
3 programs: *Provided further*, That the sum herein appro-
4 priated from the general fund shall be reduced as such
5 additional fees are received during fiscal year 1997, so as
6 to result in a final general fund appropriation estimated
7 at not more than \$1,735,200,000: *Provided further*, That
8 any such additional fees received in excess of \$3,000,000
9 in fiscal year 1997 shall not be available for obligation
10 until October 1, 1997: *Provided further*, That fees and
11 donations received by the National Ocean Service for the
12 management of the national marine sanctuaries may be
13 retained and used for the salaries and expenses associ-
14 ated with those activities, notwithstanding 31 U.S.C.
15 3302: *Provided further*, That in addition, \$68,000,000
16 shall be derived by transfer from the fund entitled “Pro-
17 mote and Develop Fishery Products and Research Per-
18 taining to American Fisheries”: *Provided further*, That
19 grants to States pursuant to sections 306 and 306A of
20 the Coastal Zone Management Act of 1972, as amended,
21 shall not exceed \$2,000,000: *Provided further*, That of
22 the \$1,839,176,000 provided for in direct obligations
23 under this heading (of which \$1,735,200,000 is appro-
24 priated from the general fund, \$73,276,000 is provided
25 by transfer, and \$30,700,000 is derived from unobligated

1 balances and deobligations from prior years),
2 \$182,660,000 shall be for the National Ocean Service,
3 \$298,907,000 shall be for the National Marine Fisheries
4 Service, \$231,826,000 shall be for Oceanic and Atmos-
5 pheric Research, \$633,010,000 shall be for the National
6 Weather Service, \$425,897,000 shall be for the National
7 Environmental Satellite, Data, and Information Service,
8 \$66,876,000 shall be for Program Support.

9 COASTAL ZONE MANAGEMENT FUND

10 Of amounts collected pursuant to section 308 of
11 the Coastal Zone Management Act of 1972 (16 U.S.C.
12 1456a), not to exceed \$7,800,000, for purposes set forth
13 in sections 308(b)(2)(A), 308(b)(2)(B)(v), and 315(e) of
14 such Act.

15 CONSTRUCTION

16 For repair and modification of, and additions to, ex-
17 isting facilities and construction of new facilities, and for
18 facility planning and design and land acquisition not oth-
19 erwise provided for the National Oceanic and Atmos-
20 pheric Administration, \$36,000,000, to remain available
21 until expended.

22 FLEET MODERNIZATION, SHIPBUILDING AND

23 CONVERSION

24 For expenses necessary for the repair, acquisition,
25 leasing, or conversion of vessels, including related equip-
26 ment to maintain and modernize the existing fleet and to

1 continue planning the modernization of the fleet, for the
2 National Oceanic and Atmospheric Administration,
3 \$6,000,000, to remain available until expended.

4 FISHING VESSEL AND GEAR DAMAGE COMPENSATION
5 FUND

6 For carrying out the provisions of section 3 of Pub-
7 lic Law 95–376, not to exceed \$200,000, to be derived
8 from receipts collected pursuant to subsections (b) and
9 (f) of section 10 of the Fishermen’s Protective Act of
10 1967 (22 U.S.C. 1980), to remain available until ex-
11 pended.

12 FISHERMEN’S CONTINGENCY FUND

13 For carrying out the provisions of title IV of Public
14 Law 95–372, not to exceed \$1,000,000, to be derived
15 from receipts collected pursuant to that Act, to remain
16 available until expended.

17 FOREIGN FISHING OBSERVER FUND

18 For expenses necessary to carry out the provisions
19 of the Atlantic Tunas Convention Act of 1975, as amend-
20 ed (Public Law 96–339), the Magnuson Fishery Con-
21 servation and Management Act of 1976, as amended
22 (Public Law 100–627), and the American Fisheries Pro-
23 motion Act (Public Law 96–561), to be derived from the
24 fees imposed under the foreign fishery observer program
25 authorized by these Acts, not to exceed \$196,000, to re-
26 main available until expended.

1 FISHING VESSEL OBLIGATIONS GUARANTEES

2 For the cost of guaranteed loans, \$250,000, as au-
3 thorized by the Merchant Marine Act of 1936, as amend-
4 ed: *Provided*, That such costs, including the cost of modi-
5 fying such loans, shall be as defined in section 502 of the
6 Congressional Budget Act of 1974: *Provided further*,
7 That none of the funds made available under this head-
8 ing may be used to guarantee loans for any new fishing
9 vessel that will increase the harvesting capacity in any
10 United States fishery.

11 TECHNOLOGY ADMINISTRATION

12 UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF

13 TECHNOLOGY POLICY

14 SALARIES AND EXPENSES

15 For necessary expenses for the Under Secretary for
16 Technology/Office of Technology Policy, \$5,000,000.

17 GENERAL ADMINISTRATION

18 SALARIES AND EXPENSES

19 For expenses necessary for the general administra-
20 tion of the Department of Commerce provided for by law,
21 including not to exceed \$3,000 for official entertainment,
22 \$27,400,000.

23 OFFICE OF INSPECTOR GENERAL

24 For necessary expenses of the Office of Inspector
25 General in carrying out the provisions of the Inspector

1 General Act of 1978, as amended (5 U.S.C. App. 1–11
2 as amended by Public Law 100–504), \$19,445,000.

3 NATIONAL OCEANIC AND ATMOSPHERIC
4 ADMINISTRATION
5 OPERATIONS, RESEARCH, AND FACILITIES
6 (RESCISSION)

7 Of the unobligated balances available under this
8 heading, \$10,000,000 are rescinded.

9 GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

10 SEC. 201. During the current fiscal year, applicable
11 appropriations and funds made available to the Depart-
12 ment of Commerce by this Act shall be available for the
13 activities specified in the Act of October 26, 1949 (15
14 U.S.C. 1514), to the extent and in the manner prescribed
15 by the Act, and, notwithstanding 31 U.S.C. 3324, may
16 be used for advanced payments not otherwise authorized
17 only upon the certification of officials designated by the
18 Secretary that such payments are in the public interest.

19 SEC. 202. During the current fiscal year, appropria-
20 tions made available to the Department of Commerce by
21 this Act for salaries and expenses shall be available for
22 hire of passenger motor vehicles as authorized by 31
23 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C.
24 3109; and uniforms or allowances therefor, as authorized
25 by law (5 U.S.C. 5901–5902).

1 SEC. 203. None of the funds made available by this
2 Act may be used to support the hurricane reconnaissance
3 aircraft and activities that are under the control of the
4 United States Air Force or the United States Air Force
5 Reserve.

6 SEC. 204. None of the funds provided in this or any
7 previous Act, or hereinafter made available to the Depart-
8 ment of Commerce, shall be available to reimburse the Un-
9 employment Trust Fund or any other fund or account of
10 the Treasury to pay for any expenses paid before October
11 1, 1992, as authorized by section 8501 of title 5, United
12 States Code, for services performed after April 20, 1990,
13 by individuals appointed to temporary positions within the
14 Bureau of the Census for purposes relating to the 1990
15 decennial census of population.

16 SEC. 205. Not to exceed 5 percent of any appropria-
17 tion made available for the current fiscal year for the De-
18 partment of Commerce in this Act may be transferred be-
19 tween such appropriations, but no such appropriation shall
20 be increased by more than 10 percent by any such trans-
21 fers: *Provided*, That any transfer pursuant to this section
22 shall be treated as a reprogramming of funds under sec-
23 tion 605 of this Act and shall not be available for obliga-
24 tion or expenditure except in compliance with the proce-
25 dures set forth in that section.

1 SEC. 206. (a) Should legislation be enacted to dis-
2 mantle or reorganize the Department of Commerce, the
3 Secretary of Commerce, no later than 90 days thereafter,
4 shall submit to the Committees on Appropriations of the
5 House and the Senate a plan for transferring funds pro-
6 vided in this Act to the appropriate successor organiza-
7 tions: *Provided*, That the plan shall include a proposal for
8 transferring or rescinding funds appropriated herein for
9 agencies or programs terminated under such legislation:
10 *Provided further*, That such plan shall be transmitted in
11 accordance with section 605 of this Act.

12 (b) The Secretary of Commerce or the appropriate
13 head of any successor organization(s) may use any avail-
14 able funds to carry out legislation dismantling or reor-
15 ganizing the Department of Commerce to cover the costs
16 of actions relating to the abolishment, reorganization, or
17 transfer of functions and any related personnel action, in-
18 cluding voluntary separation incentives if authorized by
19 such legislation: *Provided*, That the authority to transfer
20 funds between appropriations accounts that may be nec-
21 essary to carry out this section is provided in addition to
22 authorities included under section 205 of this Act: *Pro-*
23 *vided further*, That use of funds to carry out this section
24 shall be treated as a reprogramming of funds under sec-
25 tion 605 of this Act and shall not be available for obliga-

1 tion or expenditure except in compliance with the proce-
2 dures set forth in that section.

3 SEC. 207. Any costs incurred by a Department or
4 agency funded under this title resulting from personnel
5 actions taken in response to funding reductions included
6 in this title shall be absorbed within the total budgetary
7 resources available to such Department or agency: *Pro-*
8 *vided*, That the authority to transfer funds between appro-
9 priations accounts as may be necessary to carry out this
10 section is provided in addition to authorities included else-
11 where in this Act: *Provided further*, That use of funds to
12 carry out this section shall be treated as a reprogramming
13 of funds under section 605 of this Act and shall not be
14 available for obligation or expenditure except in compli-
15 ance with the procedures set forth in that section.

16 SEC. 208. None of the funds appropriated under this
17 Act or any other Act may be used to develop new fishery
18 management plans, amendments, or regulations which cre-
19 ate new individual fishing quota, individual transferable
20 quota, or new individual transferable effort allocation pro-
21 grams, or to implement any such plans, amendments, or
22 regulations approved by a Regional Fishery Management
23 Council or the Secretary of Commerce after January 4,
24 1995, until offsetting fees to pay for the cost of admin-
25 istering such plans, amendments, or regulations are ex-

1 pressly authorized under the Magnuson Fishery Conserva-
2 tion and Management Act (16 U.S.C. 1801 et seq.). This
3 restriction shall not apply in any way to any such pro-
4 grams approved by the Secretary of Commerce prior to
5 January 4, 1995.

6 SEC. 209. The Secretary may award contracts for hy-
7 drographic, geodetic, and photogrammetric surveying and
8 mapping services in accordance with title IX of the Fed-
9 eral Property and Administrative Services Act of 1949 (40
10 U.S.C. 541 et seq.).

11 SEC. 210. There is hereby established the Bureau of
12 the Census Working Capital Fund, which shall be avail-
13 able without fiscal year limitation, for expenses and equip-
14 ment necessary for the maintenance and operation of such
15 services and projects as the Director of the Census Bureau
16 determines may be performed more advantageously when
17 centralized: *Provided*, That such central services shall, to
18 the fullest extent practicable, be used to make unnecessary
19 the maintenance of separate like services in the divisions
20 and offices of the Bureau: *Provided further*, That a sepa-
21 rate schedule of expenditures and reimbursements, and a
22 statement of the current assets and liabilities of the Work-
23 ing Capital Fund as of the close of the last completed fis-
24 cal year, shall be prepared each year: *Provided further*,
25 That notwithstanding 31 U.S.C. 3302, the Working Cap-

1 ital Fund may be credited with advances and reimburse-
 2 ments from applicable appropriations of the Bureau and
 3 from funds of other agencies or entities for services fur-
 4 nished pursuant to law: *Provided further*, That any inven-
 5 tories, equipment, and other assets pertaining to the serv-
 6 ices to be provided by such funds, either on hand or on
 7 order, less the related liabilities or unpaid obligations, and
 8 any appropriations made hereafter for the purpose of pro-
 9 viding capital, shall be used to capitalize the Working Cap-
 10 ital Fund: *Provided further*, That the Working Capital
 11 Fund shall provide for centralized services at rates which
 12 will return in full all expenses of operation, including de-
 13 preciation of fund plant and equipment, amortization of
 14 automated data processing software and hardware sys-
 15 tems, and an amount necessary to maintain a reasonable
 16 operating reserve as determined by the Director.

17 This title may be cited as the “Department of Com-
 18 merce and Related Agencies Appropriations Act, 1997”.

19 TITLE III—THE JUDICIARY

20 SUPREME COURT OF THE UNITED STATES

21 SALARIES AND EXPENSES

22 For expenses necessary for the operation of the Su-
 23 preme Court, as required by law, excluding care of the
 24 building and grounds, including purchase or hire, driving,
 25 maintenance, and operation of an automobile for the Chief

1 Justice, not to exceed \$10,000 for the purpose of trans-
2 porting Associate Justices, and hire of passenger motor
3 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
4 to exceed \$10,000 for official reception and representation
5 expenses; and for miscellaneous expenses, to be expended
6 as the Chief Justice may approve; \$27,157,000.

7 CARE OF THE BUILDING AND GROUNDS

8 For such expenditures as may be necessary to enable
9 the Architect of the Capitol to carry out the duties im-
10 posed upon him by the Act approved May 7, 1934 (40
11 U.S.C. 13a–13b), \$2,490,000, of which \$260,000 shall re-
12 main available until expended.

13 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
14 CIRCUIT

15 SALARIES AND EXPENSES

16 For salaries of the chief judge, judges, and other offi-
17 cers and employees, and for necessary expenses of the
18 court, as authorized by law, \$15,013,000.

19 UNITED STATES COURT OF INTERNATIONAL TRADE

20 SALARIES AND EXPENSES

21 For salaries of the chief judge and eight judges, sala-
22 ries of the officers and employees of the court, services
23 as authorized by 5 U.S.C. 3109, and necessary expenses
24 of the court, as authorized by law, \$11,114,000.

1 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
2 JUDICIAL SERVICES
3 SALARIES AND EXPENSES

4 For the salaries of circuit and district judges (includ-
5 ing judges of the territorial courts of the United States),
6 justices and judges retired from office or from regular ac-
7 tive service, judges of the United States Court of Federal
8 Claims, bankruptcy judges, magistrate judges, and all
9 other officers and employees of the Federal Judiciary not
10 otherwise specifically provided for, and necessary expenses
11 of the courts, as authorized by law, \$2,550,956,000 (re-
12 duced by \$12,000,000) (including the purchase of fire-
13 arms and ammunition); of which not to exceed
14 \$13,454,000 shall remain available until expended for
15 space alteration projects; of which not to exceed
16 \$10,000,000 shall remain available until expended for fur-
17 niture and furnishings related to new space alteration and
18 construction projects; and of which \$500,000 is to remain
19 available until expended for acquisition of books, periodi-
20 cals, and newspapers, and all other legal reference mate-
21 rials, including subscriptions.

22 In addition, for expenses of the United States Court
23 of Federal Claims associated with processing cases under
24 the National Childhood Vaccine Injury Act of 1986, not

1 to exceed \$2,390,000, to be appropriated from the Vaccine
2 Injury Compensation Trust Fund.

3 VIOLENT CRIME REDUCTION PROGRAMS

4 For activities of the Federal Judiciary as authorized
5 by law, \$30,000,000, to remain available until expended,
6 which shall be derived from the Violent Crime Reduction
7 Trust Fund, as authorized by section 190001(a) of Public
8 Law 103–322.

9 DEFENDER SERVICES

10 For the operation of Federal Public Defender and
11 Community Defender organizations; the compensation and
12 reimbursement of expenses of attorneys appointed to rep-
13 resent persons under the Criminal Justice Act of 1964,
14 as amended; the compensation and reimbursement of ex-
15 penses of persons furnishing investigative, expert and
16 other services under the Criminal Justice Act (18 U.S.C.
17 3006A(e)); the compensation (in accordance with Criminal
18 Justice Act maximums) and reimbursement of expenses
19 of attorneys appointed to assist the court in criminal cases
20 where the defendant has waived representation by counsel;
21 the compensation and reimbursement of travel expenses
22 of guardians ad litem acting on behalf of financially eligi-
23 ble minor or incompetent offenders in connection with
24 transfers from the United States to foreign countries with
25 which the United States has a treaty for the execution
26 of penal sentences; and the compensation of attorneys ap-

1 pointed to represent jurors in civil actions for the protec-
2 tion of their employment, as authorized by 28 U.S.C.
3 1875(d); \$297,000,000, to remain available until ex-
4 pended as authorized by 18 U.S.C. 3006A(i).

5 FEES OF JURORS AND COMMISSIONERS

6 For fees and expenses of jurors as authorized by 28
7 U.S.C. 1871 and 1876; compensation of jury commis-
8 sioners as authorized by 28 U.S.C. 1863; and compensa-
9 tion of commissioners appointed in condemnation cases
10 pursuant to rule 71A(h) of the Federal Rules of Civil Pro-
11 cedure (28 U.S.C. Appendix Rule 71A(h)); \$66,000,000,
12 to remain available until expended: *Provided*, That the
13 compensation of land commissioners shall not exceed the
14 daily equivalent of the highest rate payable under section
15 5332 of title 5, United States Code.

16 COURT SECURITY

17 For necessary expenses, not otherwise provided for,
18 incident to the procurement, installation, and maintenance
19 of security equipment and protective services for the Unit-
20 ed States Courts in courtrooms and adjacent areas, in-
21 cluding building ingress-egress control, inspection of pack-
22 ages, directed security patrols, and other similar activities
23 as authorized by section 1010 of the Judicial Improvement
24 and Access to Justice Act (Public Law 100-702);
25 \$131,000,000, to be expended directly or transferred to
26 the United States Marshals Service which shall be respon-

1 sible for administering elements of the Judicial Security
2 Program consistent with standards or guidelines agreed
3 to by the Director of the Administrative Office of the Unit-
4 ed States Courts and the Attorney General.

5 ADMINISTRATIVE OFFICE OF THE UNITED STATES
6 COURTS

7 SALARIES AND EXPENSES

8 For necessary expenses of the Administrative Office
9 of the United States Courts as authorized by law, includ-
10 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
11 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
12 advertising and rent in the District of Columbia and else-
13 where, \$48,500,000, of which not to exceed \$7,500 is au-
14 thorized for official reception and representation expenses.

15 FEDERAL JUDICIAL CENTER

16 SALARIES AND EXPENSES

17 For necessary expenses of the Federal Judicial Cen-
18 ter, as authorized by Public Law 90–219, \$17,495,000;
19 of which \$1,800,000 shall remain available through Sep-
20 tember 30, 1998, to provide education and training to
21 Federal court personnel; and of which not to exceed
22 \$1,000 is authorized for official reception and representa-
23 tion expenses.

1 JUDICIAL RETIREMENT FUNDS

2 PAYMENT TO JUDICIARY TRUST FUNDS

3 For payment to the Judicial Officers' Retirement
4 Fund, as authorized by 28 U.S.C. 377(o), \$21,000,000,
5 to the Judicial Survivors' Annuities Fund, as authorized
6 by 28 U.S.C. 376(c), \$7,300,000, and to the United
7 States Court of Federal Claims Judges' Retirement Fund,
8 as authorized by 28 U.S.C. 178(l), \$1,900,000.

9 UNITED STATES SENTENCING COMMISSION

10 SALARIES AND EXPENSES

11 For the salaries and expenses necessary to carry out
12 the provisions of chapter 58 of title 28, United States
13 Code, \$8,300,000, of which not to exceed \$1,000 is au-
14 thorized for official reception and representation expenses.

15 GENERAL PROVISIONS—THE JUDICIARY

16 SEC. 301. Appropriations and authorizations made in
17 this title which are available for salaries and expenses shall
18 be available for services as authorized by 5 U.S.C. 3109.

19 SEC. 302. Appropriations made in this title shall be
20 available for salaries and expenses of the Special Court
21 established under the Regional Rail Reorganization Act of
22 1973, Public Law 93–236.

23 SEC. 303. Not to exceed 5 percent of any appropria-
24 tion made available for the current fiscal year for the Judi-
25 ciary in this Act may be transferred between such appro-

1 priations, but no such appropriation, except “Courts of
2 Appeals, District Courts, and other Judicial Services, De-
3 fender Services” and “Courts of Appeals, District Courts,
4 and other Judicial Services, Fees of Jurors and Commis-
5 sioners”, shall be increased by more than 10 percent by
6 any such transfers: *Provided*, That any transfer pursuant
7 to this section shall be treated as a reprogramming of
8 funds under section 605 of this Act and shall not be avail-
9 able for obligation or expenditure except in compliance
10 with the procedures set forth in that section.

11 SEC. 304. Notwithstanding any other provision of
12 law, the salaries and expenses appropriation for district
13 courts, courts of appeals, and other judicial services shall
14 be available for official reception and representation ex-
15 penses of the Judicial Conference of the United States:
16 *Provided*, That such available funds shall not exceed
17 \$10,000 and shall be administered by the Director of the
18 Administrative Office of the United States Courts in his
19 capacity as Secretary of the Judicial Conference.

20 SEC. 305. Section 612(l) of title 28, United States
21 Code, shall be amended as follows: strike “1997”, and in-
22 sert in lieu thereof “1998”.

23 This title may be cited as “The Judiciary Appropria-
24 tions Act, 1997”.

1 TITLE IV—DEPARTMENT OF STATE AND
2 RELATED AGENCIES

3 DEPARTMENT OF STATE

4 ADMINISTRATION OF FOREIGN AFFAIRS

5 DIPLOMATIC AND CONSULAR PROGRAMS

6 For necessary expenses of the Department of State
7 and the Foreign Service not otherwise provided for, includ-
8 ing expenses authorized by the State Department Basic
9 Authorities Act of 1956, as amended; representation to
10 certain international organizations in which the United
11 States participates pursuant to treaties, ratified pursuant
12 to the advice and consent of the Senate, or specific Acts
13 of Congress; acquisition by exchange or purchase of pas-
14 senger motor vehicles as authorized by 31 U.S.C. 1343,
15 40 U.S.C. 481(c) and 22 U.S.C. 2674; and for expenses
16 of general administration; \$1,705,000,000 (reduced by
17 \$14,000,000): *Provided*, That notwithstanding section
18 140(a)(5), and the second sentence of section 140(a)(3),
19 of the Foreign Relations Authorization Act, Fiscal Years
20 1994 and 1995 (Public Law 103–236), not to exceed
21 \$150,000,000 of fees may be collected during fiscal year
22 1997 under the authority of section 140(a)(1) of that Act:
23 *Provided further*, That all fees collected under the preced-
24 ing proviso shall be deposited in fiscal year 1997 as an
25 offsetting collection to appropriations made under this

1 heading to recover the costs of providing consular services
2 and shall remain available until expended: *Provided fur-*
3 *ther*, That in fiscal year 1998, a system shall be in place
4 that allocates to each department and agency the full cost
5 of its presence outside of the United States.

6 Of the funds provided under this heading,
7 \$24,856,000 shall be available only for the Diplomatic
8 Telecommunications Service for operation of existing base
9 services and not to exceed \$17,230,000 shall be available
10 only for the enhancement of the Diplomatic Telecommuni-
11 cations Service and shall remain available until expended.
12 Of the latter amount, \$2,500,000 shall not be made avail-
13 able until expiration of the 15 day period beginning on
14 the date when the Secretary of State and the Director of
15 the Diplomatic Telecommunications Service submit the
16 pilot program report required by section 507 of Public
17 Law 103-317.

18 In addition, not to exceed \$700,000 in registration
19 fees collected pursuant to section 38 of the Arms Export
20 Control Act, as amended, may be used in accordance with
21 section 45 of the State Department Basic Authorities Act
22 of 1956 (22 U.S.C. 2717); and in addition not to exceed
23 \$1,223,000 shall be derived from fees collected from other
24 executive agencies for lease or use of facilities located at
25 the International Center in accordance with section 4 of

1 the International Center Act (Public Law 90–553), as
2 amended; and in addition, as authorized by section 5 of
3 such Act, \$450,000, to be derived from the reserve author-
4 ized by that section, to be used for the purposes set out
5 in that section; and in addition not to exceed \$15,000
6 which shall be derived from reimbursements, surcharges,
7 and fees for use of Blair House facilities in accordance
8 with section 46 of the State of Department Basic Authori-
9 ties Act of 1956 (22 U.S.C. 2718(a)).

10 Notwithstanding section 402 of this Act, not to ex-
11 ceed 20 percent of the amounts made available in this Act
12 in the appropriation accounts “Diplomatic and Consular
13 Programs” and “Salaries and Expenses” under the head-
14 ing “Administration of Foreign Affairs” may be trans-
15 ferred between such appropriation accounts: *Provided*,
16 That any transfer pursuant to this sentence shall be treat-
17 ed as a reprogramming of funds under section 605 of this
18 Act and shall not be available for obligation or expenditure
19 except in compliance with the procedures set forth in that
20 section.

21 SALARIES AND EXPENSES

22 For expenses necessary for the general administra-
23 tion of the Department of State and the Foreign Service,
24 provided for by law, including expenses authorized by sec-
25 tion 9 of the Act of August 31, 1964, as amended (31

1 U.S.C. 3721), and the State Department Basic Authori-
2 ties Act of 1956, as amended, \$352,300,000.

3 CAPITAL INVESTMENT FUND

4 For necessary expenses of the Capital Investment
5 Fund, \$16,400,000, to remain available until expended,
6 as authorized in Public Law 103–236: *Provided*, That sec-
7 tion 135(e) of Public Law 103–236 shall not apply to
8 funds appropriated under this heading.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General in carrying out the provisions of the Inspector
12 General Act of 1978, as amended (5 U.S.C. App.),
13 \$27,495,000, notwithstanding section 209(a)(1) of the
14 Foreign Service Act of 1980, as amended (Public Law 96–
15 465), as it relates to post inspections: *Provided*, That not-
16 withstanding any other provision of law, (1) the Office of
17 Inspector General of the United States Information Agen-
18 cy is hereby merged with the Office of Inspector General
19 of the Department of State; (2) the functions exercised
20 and assigned to the Office of Inspector General of the
21 United States Information Agency before the effective
22 date of this Act (including all related functions) are trans-
23 ferred to the Office of Inspector General of the Depart-
24 ment of State; and (3) the Inspector General of the De-
25 partment of State shall also serve as the Inspector General
26 of the United States Information Agency.

1 REPRESENTATION ALLOWANCES

2 For representation allowances as authorized by sec-
3 tion 905 of the Foreign Service Act of 1980, as amended
4 (22 U.S.C. 4085), \$4,490,000.

5 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

6 For expenses, not otherwise provided, to enable the
7 Secretary of State to provide for extraordinary protective
8 services in accordance with the provisions of section 214
9 of the State Department Basic Authorities Act of 1956
10 (22 U.S.C. 4314) and 3 U.S.C. 208, \$8,332,000, to re-
11 main available until September 30, 1998.

12 SECURITY AND MAINTENANCE OF UNITED STATES

13 MISSIONS

14 For necessary expenses for carrying out the Foreign
15 Service Buildings Act of 1926, as amended (22 U.S.C.
16 292–300), and the Diplomatic Security Construction Pro-
17 gram as authorized by title IV of the Omnibus Diplomatic
18 Security and Antiterrorism Act of 1986 (22 U.S.C. 4851),
19 \$370,000,000, to remain available until expended as au-
20 thorized by section 24(c) of the State Department Basic
21 Authorities Act of 1956 (22 U.S.C. 2696(c)): *Provided*,
22 That none of the funds appropriated in this paragraph
23 shall be available for acquisition of furniture and furnish-
24 ings and generators for other departments and agencies.

12 REPATRIATION LOANS PROGRAM ACCOUNT

22 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

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3 For payment to the Foreign Service Retirement and
4 Disability Fund, as authorized by law, \$126,491,000.

5 INTERNATIONAL ORGANIZATIONS AND CONFERENCES
6 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

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1 and anticipated, to meet the requirements of section
2 401(b) of Public Law 103–236 at least 15 days in advance
3 of the proposed certification: *Provided further*, That none
4 of the funds appropriated in this paragraph shall be avail-
5 able for a United States contribution to an international
6 organization for the United States share of interest costs
7 made known to the United States Government by such
8 organization for loans incurred on or after October 1,
9 1984, through external borrowings: *Provided further*, That
10 of the funds appropriated in this paragraph, \$80,000,000
11 may be made available only on a quarterly basis and only
12 after the Secretary of State certifies on a quarterly basis
13 that the United Nations has taken no action to increase
14 funding for any United Nations program without identify-
15 ing an offsetting decrease elsewhere in the United Nations
16 budget and cause the United Nations to exceed its no
17 growth budget for the biennium 1996–1997 adopted in
18 December, 1995: *Provided further*, That notwithstanding
19 section 402 of this Act, not to exceed \$10,000,000 may
20 be transferred from the funds made available under this
21 heading to the “International Conferences and Contin-
22 gencies” account for assessed contributions to new or pro-
23 visional international organizations: *Provided further*,
24 That any transfer pursuant to this paragraph shall be
25 treated as a reprogramming of funds under section 605

1 of this Act and shall not be available for obligation or ex-
2 penditure except in compliance with the procedures set
3 forth in that section.

4 CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING
5 ACTIVITIES

6 For necessary expenses to pay assessed and other ex-
7 penses of international peacekeeping activities directed to
8 the maintenance or restoration of international peace and
9 security, \$332,400,000, of which \$50,000,000 is for pay-
10 ment of arrearages accumulated in 1995, and which shall
11 be available only upon certification by the Secretary of
12 State that at least two of the following have been achieved:
13 (1) savings of at least \$100,000,000 will be achieved in
14 the biennial expenses of the following United Nations divi-
15 sions and activities—the United Nations Conference on
16 Trade and Development, the Regional Economic Commis-
17 sions, the Department of Public Information, and the De-
18 partment of Conference Services, travel and overtime; (2)
19 the number of professional and general service staff em-
20 ployed by the United Nations Secretariat at the conclusion
21 of the 1996–1997 biennium will be at least ten percent
22 below the number of such positions on January 1, 1996;
23 and (3) the United Nations has adopted a budget outline
24 for the 1998–1999 biennium that is below
25 \$2,608,000,000; as part of a five-year program to achieve
26 major cost-saving reforms in the United Nations and spe-

1 cialized agencies: *Provided*, That none of the funds made
2 available under this Act shall be obligated or expended for
3 any new or expanded United Nations peacekeeping mis-
4 sion unless, at least fifteen days in advance of voting for
5 the new or expanded mission in the United Nations Secu-
6 rity Council (or in an emergency, as far in advance as
7 is practicable), (1) the Committees on Appropriations of
8 the House of Representatives and the Senate and other
9 appropriate Committees of the Congress are notified of the
10 estimated cost and length of the mission, the vital national
11 interest that will be served, and the planned exit strategy;
12 and (2) a reprogramming of funds pursuant to section 605
13 of this Act is submitted, and the procedures therein fol-
14 lowed, setting forth the source of funds that will be used
15 to pay for the cost of the new or expanded mission: *Pro-*
16 *vided further*, That funds shall be available for peacekeep-
17 ing expenses only upon a certification by the Secretary of
18 State to the appropriate committees of the Congress that
19 American manufacturers and suppliers are being given op-
20 portunities to provide equipment, services, and material
21 for United Nations peacekeeping activities equal to those
22 being given to foreign manufacturers and suppliers.

1 INTERNATIONAL COMMISSIONS

2 For necessary expenses, not otherwise provided for,
3 to meet obligations of the United States arising under
4 treaties, or specific Acts of Congress, as follows:

5 INTERNATIONAL BOUNDARY AND WATER COMMISSION,
6 UNITED STATES AND MEXICO

7 For necessary expenses for the United States Section
8 of the International Boundary and Water Commission,
9 United States and Mexico, and to comply with laws appli-
10 cable to the United States Section, including not to exceed
11 \$6,000 for representation; as follows:

12 SALARIES AND EXPENSES

13 For salaries and expenses, not otherwise provided for,
14 \$18,490,000.

15 CONSTRUCTION

16 For detailed plan preparation and construction of au-
17 thorized projects, \$6,463,000, to remain available until ex-
18 pended, as authorized by section 24(c) of the State De-
19 partment Basic Authorities Act of 1956 (22 U.S.C.
20 2696(c)).

21 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

22 For necessary expenses, not otherwise provided for
23 the International Joint Commission and the International
24 Boundary Commission, United States and Canada, as au-
25 thorized by treaties between the United States and Can-
26 ada or Great Britain, and for the Border Environment

1 Cooperation Commission as authorized by Public Law
2 103–182; \$5,490,000, of which not to exceed \$9,000 shall
3 be available for representation expenses incurred by the
4 International Joint Commission.

5 INTERNATIONAL FISHERIES COMMISSIONS

6 For necessary expenses for international fisheries
7 commissions, not otherwise provided for, as authorized by
8 law, \$10,450,000: *Provided*, That the United States' share
9 of such expenses may be advanced to the respective com-
10 missions, pursuant to 31 U.S.C. 3324.

11 OTHER

12 PAYMENT TO THE ASIA FOUNDATION

13 For a grant to the Asia Foundation, as authorized
14 by section 501 of Public Law 101–246, \$8,000,000, to
15 remain available until expended, as authorized by section
16 24(c) of the State Department Basic Authorities Act of
17 1956 (22 U.S.C. 2696(c)).

18 RELATED AGENCIES

19 ARMS CONTROL AND DISARMAMENT AGENCY

20 ARMS CONTROL AND DISARMAMENT ACTIVITIES

21 For necessary expenses not otherwise provided, for
22 arms control, nonproliferation, and disarmament activi-
23 ties, \$38,495,000, of which not to exceed \$50,000 shall
24 be for official reception and representation expenses as au-
25 thorized by the Act of September 26, 1961, as amended
26 (22 U.S.C. 2551 et seq.).

1 UNITED STATES INFORMATION AGENCY

2 SALARIES AND EXPENSES

3 For expenses, not otherwise provided for, necessary
4 to enable the United States Information Agency, as au-
5 thorized by the Mutual Educational and Cultural Ex-
6 change Act of 1961, as amended (22 U.S.C. 2451 et seq.),
7 the United States Information and Educational Exchange
8 Act of 1948, as amended (22 U.S.C. 1431 et seq.), and
9 Reorganization Plan No. 2 of 1977 (91 Stat. 1636), to
10 carry out international communication, educational and
11 cultural activities; and to carry out related activities au-
12 thorized by law, including employment, without regard to
13 civil service and classification laws, of persons on a tem-
14 porary basis (not to exceed \$700,000 of this appropria-
15 tion), as authorized by section 801 of such Act of 1948
16 (22 U.S.C. 1471), and entertainment, including official re-
17 ceptions, within the United States, not to exceed \$25,000
18 as authorized by section 804(3) of such Act of 1948 (22
19 U.S.C. 1474(3)); \$439,300,000: *Provided*, That not to ex-
20 ceed \$1,400,000 may be used for representation abroad
21 as authorized by section 302 of such Act of 1948 (22
22 U.S.C. 1452) and section 905 of the Foreign Service Act
23 of 1980 (22 U.S.C. 4085): *Provided further*, That not to
24 exceed \$7,615,000, to remain available until expended,
25 may be credited to this appropriation from fees or other

1 payments received from or in connection with English
2 teaching, library, motion pictures, student advising and
3 counseling, and publication programs as authorized by
4 section 810 of such Act of 1948 (22 U.S.C. 1475e): *Pro-*
5 *vided further*, That not to exceed \$1,100,000 to remain
6 available until expended may be used to carry out projects
7 involving security construction and related improvements
8 for agency facilities not physically located together with
9 Department of State facilities abroad.

10 TECHNOLOGY FUND

11 For expenses necessary to enable the United States
12 Information Agency to provide for the procurement of in-
13 formation technology improvements, as authorized by the
14 United States Information and Educational Exchange Act
15 of 1948, as amended (22 U.S.C. 1431 et seq.), the Mutual
16 Educational and Cultural Exchange Act of 1961, as
17 amended (22 U.S.C. 2451 et seq.), and Reorganization
18 Plan No. 2 of 1977 (91 Stat. 1636), \$5,050,000, to re-
19 main available until expended.

20 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

21 For expenses of educational and cultural exchange
22 programs, as authorized by the Mutual Educational and
23 Cultural Exchange Act of 1961, as amended (22 U.S.C.
24 2451 et seq.), and Reorganization Plan No. 2 of 1977 (91
25 Stat. 1636), \$185,000,000, to remain available until ex-

1 pending as authorized by section 105 of such Act of 1961
2 (22 U.S.C. 2455).

3 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM TRUST
4 FUND

5 For necessary expenses of Eisenhower Exchange Fel-
6 lowships, Incorporated, as authorized by sections 4 and
7 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
8 U.S.C. 5204–5205), all interest and earnings accruing to
9 the Eisenhower Exchange Fellowship Program Trust
10 Fund on or before September 30, 1997, to remain avail-
11 able until expended: *Provided*, That none of the funds ap-
12 propriated herein shall be used to pay any salary or other
13 compensation, or to enter into any contract providing for
14 the payment thereof, in excess of the rate authorized by
15 5 U.S.C. 5376; or for purposes which are not in accord-
16 ance with OMB Circulars A–110 (Uniform Administrative
17 Requirements) and A–122 (Cost Principles for Non-profit
18 Organizations), including the restrictions on compensation
19 for personal services.

20 ISRAELI ARAB SCHOLARSHIP PROGRAM

21 For necessary expenses of the Israeli Arab Scholar-
22 ship Program as authorized by section 214 of the Foreign
23 Relations Authorization Act, Fiscal Years 1992 and 1993
24 (22 U.S.C. 2452), all interest and earnings accruing to
25 the Israeli Arab Scholarship Fund on or before September
26 30, 1997, to remain available until expended.

1 INTERNATIONAL BROADCASTING OPERATIONS

2 For expenses necessary to enable the United States
3 Information Agency, as authorized by the United States
4 Information and Educational Exchange Act of 1948, as
5 amended, the United States International Broadcasting
6 Act of 1994, as amended, the Radio Broadcasting to Cuba
7 Act, as amended, and Reorganization Plan No. 2 of 1977,
8 to carry out international communication activities, in-
9 cluding the purchase, installation, rent, construction, or
10 improvement of facilities and equipment for radio trans-
11 mission and reception to Cuba; \$335,700,000, of which
12 not to exceed \$16,000 may be used for official receptions
13 within the United States as authorized by section 804(3)
14 of such Act of 1948 (22 U.S.C. 1474(3)), not to exceed
15 \$35,000 may be used for representation abroad as author-
16 ized by section 302 of such Act of 1948 (22 U.S.C. 1452)
17 and section 905 of the Foreign Service Act of 1980 (22
18 U.S.C. 4085), and not to exceed \$39,000 may be used for
19 official reception and representation expenses of Radio
20 Free Europe/Radio Liberty; and in addition, not to exceed
21 \$250,000 from fees as authorized by section 810 of such
22 Act of 1948 (22 U.S.C. 1475e), to remain available until
23 expended for carrying out authorized purposes; and in ad-
24 dition, notwithstanding any other provision of law, not to
25 exceed \$1,000,000 in monies received (including receipts

1 from advertising, if any) by or for the use of the United
2 States Information Agency from or in connection with
3 broadcasting resources owned by or on behalf of the Agen-
4 cy, to be available until expended for carrying out author-
5 ized purposes: *Provided*, That, of the amount provided
6 under this heading, \$9,300,000 may be made available for
7 grants for the operating costs of Radio Free Asia under
8 section 309 of the United States International Broadcast-
9 ing Act of 1994.

10 RADIO CONSTRUCTION

11 For the purchase, rent, construction, and improve-
12 ment of facilities for radio transmission and reception, and
13 purchase and installation of necessary equipment for radio
14 and television transmission and reception as authorized by
15 section 801 of the United States Information and Edu-
16 cational Exchange Act of 1948 (22 U.S.C. 1471),
17 \$39,000,000, to remain available until expended, as au-
18 thorized by section 704(a) of such Act of 1948 (22 U.S.C.
19 1477b(a)).

20 NATIONAL ENDOWMENT FOR DEMOCRACY

21 For grants made by the United States Information
22 Agency to the National Endowment for Democracy as au-
23 thorized by the National Endowment for Democracy Act,
24 \$30,000,000, to remain available until expended.

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the United States Information Agency in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided further*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

1 SEC. 403. Funds hereafter appropriated or otherwise
2 made available under this Act or any other Act may be
3 expended for compensation of the United States Commis-
4 sioner of the International Boundary Commission, United
5 States and Canada, only for actual hours worked by such
6 Commissioner.

7 SEC. 404. Funds appropriated by this Act for the
8 United States Information Agency, the Arms Control and
9 Disarmament Agency, and the Department of State may
10 be obligated and expended notwithstanding section 701 of
11 the United States Information and Educational Exchange
12 Act of 1948 and section 313 of the Foreign Relations Au-
13 thorization Act, Fiscal Years 1994 and 1995, section 53
14 of the Arms Control and Disarmament Act, and section
15 15 of the State Department Basic Authorities Act of
16 1956.

17 SEC. 405. Any costs incurred by a Department or
18 agency funded under this title resulting from personnel
19 actions taken in response to funding reductions included
20 in this title shall be absorbed within the total budgetary
21 resources available to such Department or agency: *Pro-*
22 *vided*, That the authority to transfer funds between appro-
23 priations accounts as may be necessary to carry out this
24 section is provided in addition to authorities included else-
25 where in this Act: *Provided further*, That use of funds to

1 carry out this section shall be treated as a reprogramming
2 of funds under section 605 of this Act and shall not be
3 available for obligation or expenditure except in compli-
4 ance with the procedures set forth in that section.

5 SEC. 406. None of the funds made available by this
6 Act or any other Act may be made available to support
7 the negotiating activities of the Standing Consultative
8 Commission (SCC) or to implement agreements, amend-
9 ments, or understandings to the Anti-Ballistic Missile
10 Treaty of 1972 (hereafter referred to as the “ABM Trea-
11 ty”) reached after January 1, 1996 by the Standing Con-
12 sultative Commission or pursuant to United States-Rus-
13 sian bilateral discussions regarding the establishment of
14 a demarcation between theater missile defense systems
15 and anti-ballistic missile systems for the purposes of the
16 ABM Treaty or multilateralization of the ABM Treaty un-
17 less the President certifies to the Congress that any
18 amendments, agreements, or understandings reached pur-
19 suant to these activities or discussions will be submitted
20 to the Senate for its advice and consent.

21 This title may be cited as the “Department of State
22 and Related Agencies Appropriations Act, 1997”.

1 TITLE V—RELATED AGENCIES
2 DEPARTMENT OF TRANSPORTATION
3 MARITIME ADMINISTRATION
4 OPERATING-DIFFERENTIAL SUBSIDIES
5 (LIQUIDATION OF CONTRACT AUTHORITY)

6 For the payment of obligations incurred for operat-
7 ing-differential subsidies, as authorized by the Merchant
8 Marine Act, 1936, as amended, \$148,430,000, to remain
9 available until expended.

10 MARITIME SECURITY PROGRAM

11 For necessary expenses to maintain and preserve a
12 U.S.-flag merchant fleet to serve the national security
13 needs of the United States, \$63,000,000, to remain avail-
14 able until expended: *Provided*, That these funds will be
15 available only upon enactment of an authorization for this
16 program.

17 OPERATIONS AND TRAINING

18 For necessary expenses of operations and training ac-
19 tivities authorized by law, \$62,300,000: *Provided*, That re-
20 imbursements may be made to this appropriation from re-
21 ceipts to the “Federal Ship Financing Fund” for adminis-
22 trative expenses in support of that program in addition
23 to any amount heretofore appropriated.

11 In addition, for administrative expenses to carry out
12 the guaranteed loan program, not to exceed \$3,450,000,
13 which shall be transferred to and merged with the appro-
14 priation for Operations and Training.

15 ADMINISTRATIVE PROVISIONS—MARITIME
16 ADMINISTRATION

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1 repairs shall be covered into the Treasury as miscellaneous
2 receipts.

3 No obligations shall be incurred during the current
4 fiscal year from the construction fund established by the
5 Merchant Marine Act, 1936, or otherwise, in excess of the
6 appropriations and limitations contained in this Act or in
7 any prior appropriation Act, and all receipts which other-
8 wise would be deposited to the credit of said fund shall
9 be covered into the Treasury as miscellaneous receipts.

10 COMMISSION ON THE ADVANCEMENT OF FEDERAL LAW

11 ENFORCEMENT

12 SALARIES AND EXPENSES

13 For necessary expenses of the Commission on the Ad-
14 vancement of Federal Law Enforcement, as authorized by
15 the Antiterrorism and Effective Death Penalty Act of
16 1996, \$2,000,000, to remain available until September 30,
17 1998.

18 COMMISSION FOR THE PRESERVATION OF AMERICA'S

19 HERITAGE ABROAD

20 SALARIES AND EXPENSES

21 For expenses for the Commission for the Preservation
22 of America's Heritage Abroad, \$206,000, as authorized by
23 Public Law 99-83, section 1303.

1 COMMISSION ON CIVIL RIGHTS

2 SALARIES AND EXPENSES

3 For necessary expenses of the Commission on Civil
4 Rights, including hire of passenger motor vehicles,
5 \$8,740,000: *Provided*, That not to exceed \$50,000 may
6 be used to employ consultants: *Provided further*, That
7 none of the funds appropriated in this paragraph shall be
8 used to employ in excess of four full-time individuals under
9 Schedule C of the Excepted Service exclusive of one special
10 assistant for each Commissioner: *Provided further*, That
11 none of the funds appropriated in this paragraph shall be
12 used to reimburse Commissioners for more than 75
13 billable days, with the exception of the Chairperson who
14 is permitted 125 billable days.

15 COMMISSION ON IMMIGRATION REFORM

16 SALARIES AND EXPENSES

17 For necessary expenses of the Commission on Immi-
18 gration Reform pursuant to section 141(f) of the Immi-
19 gration Act of 1990, \$2,196,000, to remain available until
20 expended.

21 COMMISSION ON SECURITY AND COOPERATION IN

22 EUROPE

23 SALARIES AND EXPENSES

24 For necessary expenses of the Commission on Secu-
25 rity and Cooperation in Europe, as authorized by Public

1 Law 94–304, \$1,090,000, to remain available until ex-
2 pended as authorized by section 3 of Public Law 99–7.

3 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Equal Employment
6 Opportunity Commission as authorized by title VII of the
7 Civil Rights Act of 1964, as amended (29 U.S.C. 206(d)
8 and 621–634), the Americans with Disabilities Act of
9 1990, and the Civil Rights Act of 1991, including services
10 as authorized by 5 U.S.C. 3109; hire of passenger motor
11 vehicles as authorized by 31 U.S.C. 1343(b); non-mone-
12 tary awards to private citizens; not to exceed \$26,500,000,
13 for payments to State and local enforcement agencies for
14 services to the Commission pursuant to title VII of the
15 Civil Rights Act of 1964, as amended, sections 6 and 14
16 of the Age Discrimination in Employment Act, the Ameri-
17 cans with Disabilities Act of 1990, and the Civil Rights
18 Act of 1991; \$232,740,000: *Provided*, That the Commis-
19 sion is authorized to make available for official reception
20 and representation expenses not to exceed \$2,500 from
21 available funds.

22 FEDERAL COMMUNICATIONS COMMISSION

23 SALARIES AND EXPENSES

24 For necessary expenses of the Federal Communica-
25 tions Commission, as authorized by law, including uni-

1 forms and allowances therefor, as authorized by 5 U.S.C.
2 5901–02; not to exceed \$600,000 for land and structure;
3 not to exceed \$500,000 for improvement and care of
4 grounds and repair to buildings; not to exceed \$4,000 for
5 official reception and representation expenses; purchase
6 (not to exceed sixteen) and hire of motor vehicles; special
7 counsel fees; and services as authorized by 5 U.S.C. 3109;
8 \$185,619,000, of which not to exceed \$300,000 shall re-
9 main available until September 30, 1998, for research and
10 policy studies: *Provided*, That \$126,400,000 of offsetting
11 collections shall be assessed and collected pursuant to sec-
12 tion 9 of title I of the Communications Act of 1934, as
13 amended, and shall be retained and used for necessary ex-
14 penses in this appropriation, and shall remain available
15 until expended: *Provided further*, That the sum herein ap-
16 propriated shall be reduced as such offsetting collections
17 are received during fiscal year 1997 so as to result in a
18 final fiscal year 1997 appropriation estimated at
19 \$59,219,000: *Provided further*, That any offsetting collec-
20 tions received in excess of \$126,400,000 in fiscal year
21 1997 shall remain available until expended, but shall not
22 be available for obligation until October 1, 1997: *Provided*
23 *further*, That none of the funds appropriated by this Act
24 shall be used to deny or delay action on a license, license
25 transfer or assignment, or license renewal for any religious

1 or religiously affiliated entity on the basis that its recruit-
2 ment or hiring of full or part time employees for any posi-
3 tion at a broadcast facility licensed to such entity is or
4 was limited to persons of a particular religion or having
5 particular religious knowledge, training, or interests: *Pro-*
6 *vided further*, That the preceding proviso shall not apply
7 with respect to any appeal from a decision of any adminis-
8 trative law judge rendered on September 15, 1995.

9 FEDERAL MARITIME COMMISSION

10 SALARIES AND EXPENSES

11 For necessary expenses of the Federal Maritime
12 Commission as authorized by section 201(d) of the Mer-
13 chant Marine Act of 1936, as amended (46 App. U.S.C.
14 1111), including services as authorized by 5 U.S.C. 3109;
15 hire of passenger motor vehicles as authorized by 31
16 U.S.C. 1343(b); and uniforms or allowances therefor, as
17 authorized by 5 U.S.C. 5901–02; \$11,000,000: *Provided*,
18 That not to exceed \$2,000 shall be available for official
19 reception and representation expenses.

20 FEDERAL TRADE COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the Federal Trade Com-
23 mission, including uniforms or allowances therefor, as au-
24 thorized by 5 U.S.C. 5901–5902; services as authorized
25 by 5 U.S.C. 3109; hire of passenger motor vehicles; and

1 not to exceed \$2,000 for official reception and representa-
2 tion expenses; \$85,930,000: *Provided*, That not to exceed
3 \$300,000 shall be available for use to contract with a per-
4 son or persons for collection services in accordance with
5 the terms of 31 U.S.C. 3718, as amended: *Provided fur-*
6 *ther*, That notwithstanding any other provision of law, not
7 to exceed \$58,905,000 of offsetting collections derived
8 from fees collected for premerger notification filings under
9 the Hart-Scott-Rodino Antitrust Improvements Act of
10 1976 (15 U.S.C. 18(a)) shall be retained and used for nec-
11 essary expenses in this appropriation, and shall remain
12 available until expended: *Provided further*, That the sum
13 herein appropriated from the General Fund shall be re-
14 duced as such offsetting collections are received during fis-
15 cal year 1997, so as to result in a final fiscal year 1997
16 appropriation from the General Fund estimated at not
17 more than \$27,025,000, to remain available until ex-
18 pended: *Provided further*, That any fees received in excess
19 of \$58,905,000 in fiscal year 1997 shall remain available
20 until expended, but shall not be available for obligation
21 until October 1, 1997: *Provided further*, That none of the
22 funds made available to the Federal Trade Commission
23 shall be available for obligation for expenses authorized
24 by section 151 of the Federal Deposit Insurance Corpora-

1 tion Improvement Act of 1991 (Public Law 102–242, 105
2 Stat. 2282–2285).

3 LEGAL SERVICES CORPORATION

4 PAYMENT TO THE LEGAL SERVICES CORPORATION

5 For payment to the Legal Services Corporation to
6 carry out the purposes of the Legal Services Corporation
7 Act of 1974, as amended, \$141,000,000 (increased by
8 \$109,000,000), of which \$134,575,000 (increased by
9 \$109,000,000) is for basic field programs and required
10 independent audits; \$1,125,000 is for the Office of the In-
11 spector General, of which such amounts as may be nec-
12 essary may be used to conduct additional audits of recipi-
13 ents; and \$5,300,000 is for management and administra-
14 tion.

15 ADMINISTRATIVE PROVISIONS—LEGAL SERVICES

16 CORPORATION

17 SEC. 501. (a) CONTINUATION OF COMPETITIVE SE-
18 LECTION PROCESS.—None of the funds appropriated in
19 this Act to the Legal Services Corporation may be used
20 to provide financial assistance to any person or entity ex-
21 cept through a competitive selection process conducted in
22 accordance with regulations promulgated by the Corpora-
23 tion in accordance with the criteria set forth in subsections
24 (c), (d), and (e) of section 503 of Public Law 104–134
25 (110 Stat. 1321–130 et seq.).

1 (b) INAPPLICABILITY OF NONCOMPETITIVE PROCE-
2 DURES.—For purposes of the funding provided in this
3 Act, rights under sections 1007(a)(9) and 1011 of the
4 Legal Services Corporation Act (42 U.S.C. 2996f(a)(9)
5 and 42 U.S.C. 2996j) shall not apply.

6 SEC. 502. (a) CONTINUATION OF REQUIREMENTS
7 AND RESTRICTIONS.—None of the funds appropriated in
8 this Act to the Legal Services Corporation shall be ex-
9 pended for any purpose prohibited or limited by, or con-
10 trary to any of the provisions of—

11 (1) sections 501, 502, 505, 506, and 507 of
12 Public Law 104–134 (101 Stat. 1321–127 et seq.),
13 and all funds appropriated in this Act to the Legal
14 Services Corporation shall be subject to the same
15 terms and conditions as set forth in such sections,
16 except that all references in such sections to 1995
17 and 1996 shall be deemed to refer instead to 1996
18 and 1997, respectively; and

19 (2) section 504 of Public Law 104–134 (101
20 Stat. 1321–132 et seq.), and all funds appropriated
21 in this Act to the Legal Services Corporation shall
22 be subject to the same terms and conditions set
23 forth in such section, except that—

24 (A) subsection (c) of such section 504 shall
25 not apply;

1 (B) paragraph (3) of section 508(b) of
2 Public Law 104–134 (101 Stat. 1321–147)
3 shall apply with respect to the requirements of
4 subsection (a)(13) of such section 504, except
5 that all references in such section 508(b) to the
6 date of enactment shall be deemed to refer to
7 April 26, 1996; and

8 (C) subsection (a)(11) of such section 504
9 shall not be construed to prohibit a recipient
10 from using funds derived from a source other
11 than the Corporation to provide related legal
12 assistance to—

13 (i) an alien who has been battered or
14 subjected to extreme cruelty in the United
15 States by a spouse or a parent, or by a
16 member of the spouse’s or parent’s family
17 residing in the same household as the alien
18 and the spouse or parent consented or ac-
19 quiesced to such battery or cruelty; or

20 (ii) an alien whose child has been bat-
21 tered or subjected to extreme cruelty in the
22 United States by a spouse or parent of the
23 alien (without the active participation of
24 the alien in the battery or extreme cru-
25 elty), or by a member of the spouse’s or

1 parent's family residing in the same house-
2 hold as the alien and the spouse or parent
3 consented or acquiesced to such battery or
4 cruelty, and the alien did not actively par-
5 ticipate in such battery or cruelty.

6 (b) DEFINITIONS.—For purposes of subsection
7 (a)(2)(C):

8 (1) The term “battered or subjected to extreme
9 cruelty” has the meaning given such term under reg-
10 ulations issued pursuant to subtitle G of the Vio-
11 lence Against Women Act of 1994 (Pub. L. 103–
12 322; 108 Stat. 1953).

13 (2) The term “related legal assistance” means
14 legal assistance directly related to the prevention of,
15 or obtaining of relief from, the battery or cruelty de-
16 scribed in such subsection.

17 SEC. 503. (a) CONTINUATION OF AUDIT REQUIRE-
18 MENTS.—The requirements of section 509 of Public Law
19 104–134 (101 Stat. 1321–146 et seq.), other than sub-
20 section (l) of such section, shall apply during fiscal year
21 1997.

22 (b) REQUIREMENT OF ANNUAL AUDIT.—An annual
23 audit of each person or entity receiving financial assist-
24 ance from the Legal Services Corporation under this Act

1 shall be conducted during fiscal year 1997 in accordance
2 with the requirements referred to in subsection (a).

3 MARINE MAMMAL COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Marine Mammal Com-
6 mission as authorized by title II of Public Law 92-522,
7 as amended, \$975,000.

8 NATIONAL BANKRUPTCY REVIEW COMMISSION

9 SALARIES AND EXPENSES

10 For necessary expenses of the National Bankruptcy
11 Review Commission, as authorized by the Bankruptcy Re-
12 form Act of 1994, \$500,000 (reduced by \$10,000).

13 SECURITIES AND EXCHANGE COMMISSION

14 SALARIES AND EXPENSES

15 For necessary expenses for the Securities and Ex-
16 change Commission, including services as authorized by
17 5 U.S.C. 3109, the rental of space (to include multiple
18 year leases) in the District of Columbia and elsewhere, and
19 not to exceed \$3,000 for official reception and representa-
20 tion expenses, \$277,021,000 (reduced by \$25,000,000), of
21 which not to exceed \$10,000 may be used toward funding
22 a permanent secretariat for the International Organiza-
23 tion of Securities Commissions, and of which not to exceed
24 \$100,000 shall be available for expenses for consultations
25 and meetings hosted by the Commission with foreign gov-

1 ernmental and other regulatory officials, members of their
2 delegations, appropriate representatives and staff to ex-
3 change views concerning developments relating to securi-
4 ties matters, development and implementation of coopera-
5 tion agreements concerning securities matters and provi-
6 sion of technical assistance for the development of foreign
7 securities markets, such expenses to include necessary lo-
8 gistic and administrative expenses and the expenses of
9 Commission staff and foreign invitees in attendance at
10 such consultations and meetings including (1) such inci-
11 dental expenses as meals taken in the course of such at-
12 tendance, (2) any travel and transportation to or from
13 such meetings, and (3) any other related lodging or sub-
14 sistence: *Provided*, That immediately upon enactment of
15 this Act, the rate of fees under section 6(b) of the Securi-
16 ties Act of 1933 (15 U.S.C. 77f(b)) shall increase from
17 one-fiftieth of one percentum to one-thirty-third of one
18 percentum, and such increase shall be deposited as an off-
19 setting collection to this appropriation, to remain available
20 until expended, to recover costs of services of the securities
21 registration process: *Provided further*, That immediately
22 upon enactment of this Act or September 1, 1996, which-
23 ever occurs later, every national securities association shall
24 pay to the Commission a fee at a rate of one-eight-hun-
25 dredth of one percentum for each \$1,000,000 of the aggre-

1 gate dollar amount of sales transacted by or through any
2 member of such association otherwise than on a national
3 securities exchange (other than bonds, debentures, and
4 other evidences of indebtedness) subject to prompt last
5 sale reporting pursuant to the rules of the Commission
6 or a registered national securities association, excluding
7 any sales for which a fee is paid under section 31 of the
8 Securities Exchange Act of 1934 (15 U.S.C. 78ee), and
9 such increase shall be deposited as an offsetting collection
10 to this appropriation, to remain available until expended,
11 to recover the costs to the Government of the supervision
12 and regulation of securities markets and securities profes-
13 sionals: *Provided further*, That the fee due from every na-
14 tional securities association shall be paid (1) on or before
15 March 15, 1997, with respect to transactions occurring
16 during the period beginning immediately upon enactment
17 of this Act or September 1, 1996, whichever occurs later,
18 and ending at the close of December 31, 1996; and (2)
19 on or before September 30, 1997, with respect to trans-
20 actions and sales occurring during the period beginning
21 on January 1, 1997, and ending at the close of August
22 31, 1997: *Provided further*, That the total amount appro-
23 priated for fiscal year 1997 under this heading shall be
24 reduced as all such offsetting fees are deposited to this
25 appropriation so as to result in a final total fiscal year

1 1997 appropriation from the General Fund estimated at
2 not more than \$83,047,000 (reduced by \$25,000,000):
3 *Provided further*, That any such fees collected in excess
4 of \$193,974,000 shall remain available until expended but
5 shall not be available for obligation until October 1, 1997.

6 SMALL BUSINESS ADMINISTRATION

7 SALARIES AND EXPENSES

8 For necessary expenses, not otherwise provided for,
9 of the Small Business Administration as authorized by
10 Public Law 103–403, including hire of passenger motor
11 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
12 not to exceed \$3,500 for official reception and representa-
13 tion expenses, \$214,419,000, of which \$94,218,000 shall
14 be available for the non-credit programs of the Small
15 Business Administration, including \$3,000,000 which
16 shall only be available for obligation and expenditure for
17 projects jointly developed, implemented and administered
18 with the Minority Business Development Agency of the
19 Department of Commerce: *Provided*, That the Adminis-
20 trator is authorized to charge fees to cover the cost of pub-
21 lications developed by the Small Business Administration,
22 and certain loan servicing activities: *Provided further*,
23 That notwithstanding 31 U.S.C. 3302, revenues received
24 from all such activities shall be credited to this account,

1 to be available for carrying out these purposes without fur-
2 ther appropriations.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, as amended (5 U.S.C. App. 1–11,
7 as amended by Public Law 100–504), \$8,900,000.

8 BUSINESS LOANS PROGRAM ACCOUNT

9 For the cost of direct loans, \$2,792,000, and for the
10 cost of guaranteed loans, \$161,876,000, as authorized by
11 15 U.S.C. 631 note, of which \$1,216,000, to be available
12 until expended, shall be for the Microloan Guarantee Pro-
13 gram, and of which \$40,510,000 shall remain available
14 until September 30, 1998: *Provided*, That such costs, in-
15 cluding the cost of modifying such loans, shall be as de-
16 fined in section 502 of the Congressional Budget Act of
17 1974: *Provided further*, That during fiscal year 1997, com-
18 mitments to guarantee loans under section 503 of the
19 Small Business Investment Act of 1958, as amended, shall
20 not exceed the amount of financings authorized under sec-
21 tion 20(n)(2)(B) of the Small Business Act, as amended.

22 In addition, for administrative expenses to carry out
23 the direct and guaranteed loan programs, \$93,485,000,
24 which may be transferred to and merged with the appro-
25 priations for Salaries and Expenses.

1 DISASTER LOANS PROGRAM ACCOUNT

2 For the cost of direct loans authorized by section 7(b)
3 of the Small Business Act, as amended, \$105,432,000, to
4 remain available until expended: *Provided*, That such
5 costs, including the cost of modifying such loans, shall be
6 as defined in section 502 of the Congressional Budget Act
7 of 1974.

8 In addition, for administrative expenses to carry out
9 the direct loan program, \$100,578,000, including not to
10 exceed \$500,000 for the Office of Inspector General of the
11 Small Business Administration for audits and reviews of
12 disaster loans and the disaster loan program, and said
13 sums may be transferred to and merged with appropria-
14 tions for Salaries and Expenses and Office of Inspector
15 General.

16 SURETY BOND GUARANTEES REVOLVING FUND

17 For additional capital for the “Surety Bond Guarantees Revolving Fund”, authorized by the Small Business
18 Investment Act, as amended, \$3,730,000, to remain avail-
19 able without fiscal year limitation as authorized by 15
20 U.S.C. 631 note.

22 ADMINISTRATIVE PROVISION—SMALL BUSINESS

23 ADMINISTRATION

24 SEC. 504. Not to exceed 5 percent of any appropria-
25 tion made available for the current fiscal year for the
26 Small Business Administration in this Act may be trans-

1 ferred between such appropriations, but no such appro-
2 priation shall be increased by more than 10 percent by
3 any such transfers: *Provided*, That any transfer pursuant
4 to this section shall be treated as a reprogramming of
5 funds under section 605 of this Act and shall not be avail-
6 able for obligation or expenditure except in compliance
7 with the procedures set forth in that section.

8 TITLE VI—GENERAL PROVISIONS

9 SEC. 601. No part of any appropriation contained in
10 this Act shall be used for publicity or propaganda purposes
11 not authorized by the Congress.

12 SEC. 602. No part of any appropriation contained in
13 this Act shall remain available for obligation beyond the
14 current fiscal year unless expressly so provided herein.

15 SEC. 603. The expenditure of any appropriation
16 under this Act for any consulting service through procure-
17 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
18 to those contracts where such expenditures are a matter
19 of public record and available for public inspection, except
20 where otherwise provided under existing law, or under ex-
21 isting Executive order issued pursuant to existing law.

22 SEC. 604. If any provision of this Act or the applica-
23 tion of such provision to any person or circumstances shall
24 be held invalid, the remainder of the Act and the applica-
25 tion of each provision to persons or circumstances other

1 than those as to which it is held invalid shall not be af-
2 fected thereby.

3 SEC. 605. (a) None of the funds provided under this
4 Act, or provided under previous appropriations Acts to the
5 agencies funded by this Act that remain available for obli-
6 gation or expenditure in fiscal year 1997, or provided from
7 any accounts in the Treasury of the United States derived
8 by the collection of fees available to the agencies funded
9 by this Act, shall be available for obligation or expenditure
10 through a reprogramming of funds which (1) creates new
11 programs; (2) eliminates a program, project, or activity;
12 (3) increases funds or personnel by any means for any
13 project or activity for which funds have been denied or
14 restricted; (4) relocates an office or employees; (5) reorga-
15 nizes offices, programs, or activities; or (6) contracts out
16 or privatizes any functions, or activities presently per-
17 formed by Federal employees; unless the Appropriations
18 Committees of both Houses of Congress are notified fif-
19 teen days in advance of such reprogramming of funds.

20 (b) None of the funds provided under this Act, or
21 provided under previous appropriations Acts to the agen-
22 cies funded by this Act that remain available for obligation
23 or expenditure in fiscal year 1997, or provided from any
24 accounts in the Treasury of the United States derived by
25 the collection of fees available to the agencies funded by

1 this Act, shall be available for obligation or expenditure
2 for activities, programs, or projects through a reprogram-
3 ming of funds in excess of \$500,000 or 10 percent, which-
4 ever is less, that (1) augments existing programs, projects,
5 or activities; (2) reduces by 10 percent funding for any
6 existing program, project, or activity, or numbers of per-
7 sonnel by 10 percent as approved by Congress; or (3) re-
8 sults from any general savings from a reduction in person-
9 nel which would result in a change in existing programs,
10 activities, or projects as approved by Congress; unless the
11 Appropriations Committees of both Houses of Congress
12 are notified fifteen days in advance of such reprogram-
13 ming of funds.

14 SEC. 606. None of the funds made available in this
15 Act may be used for the construction, repair (other than
16 emergency repair), overhaul, conversion, or modernization
17 of vessels for the National Oceanic and Atmospheric Ad-
18 ministration in shipyards located outside of the United
19 States.

20 SEC. 607. (a) PURCHASE OF AMERICAN-MADE
21 EQUIPMENT AND PRODUCTS.—It is the sense of the Con-
22 gress that, to the greatest extent practicable, all equip-
23 ment and products purchased with funds made available
24 in this Act should be American-made.

1 (b) NOTICE REQUIREMENT.—In providing financial
2 assistance to, or entering into any contract with, any en-
3 tity using funds made available in this Act, the head of
4 each Federal agency, to the greatest extent practicable,
5 shall provide to such entity a notice describing the state-
6 ment made in subsection (a) by the Congress.

7 (c) PROHIBITION OF CONTRACTS WITH PERSONS
8 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
9 If it has been finally determined by a court or Federal
10 agency that any person intentionally affixed a label bear-
11 ing a “Made in America” inscription, or any inscription
12 with the same meaning, to any product sold in or shipped
13 to the United States that is not made in the United
14 States, the person shall be ineligible to receive any con-
15 tract or subcontract made with funds made available in
16 this Act, pursuant to the debarment, suspension, and ineli-
17 gibility procedures described in sections 9.400 through
18 9.409 of title 48, Code of Federal Regulations.

19 SEC. 608. None of the funds made available in this
20 Act may be used to implement, administer, or enforce any
21 guidelines of the Equal Employment Opportunity Com-
22 mission covering harassment based on religion, when it is
23 made known to the Federal entity or official to which such
24 funds are made available that such guidelines do not differ
25 in any respect from the proposed guidelines published by

1 the Commission on October 1, 1993 (58 Fed. Reg.
2 51266).

3 SEC. 609. None of the funds appropriated or other-
4 wise made available by this Act may be obligated or ex-
5 pended to pay for any cost incurred for (1) opening or
6 operating any United States diplomatic or consular post
7 in the Socialist Republic of Vietnam that was not operat-
8 ing on July 11, 1995; (2) expanding any United States
9 diplomatic or consular post in the Socialist Republic of
10 Vietnam that was operating on July 11, 1995; or (3) in-
11 creasing the total number of personnel assigned to United
12 States diplomatic or consular posts in the Socialist Repub-
13 lic of Vietnam above the levels existing on July 11, 1995,
14 unless the President certifies within 60 days, based upon
15 all information available to the United States Government
16 that the Government of the Socialist Republic of Vietnam
17 is cooperating in full faith with the United States in the
18 following four areas:

19 (1) Resolving discrepancy cases, live sightings
20 and field activities,

21 (2) Recovering and repatriating American re-
22 mains,

23 (3) Accelerating efforts to provide documents
24 that will help lead to fullest possible accounting of
25 POW/MIA's.

1 (4) Providing further assistance in implement-
2 ing trilateral investigations with Laos.

3 SEC. 610. None of the funds made available by this
4 Act may be used for any United Nations undertaking
5 when it is made known to the Federal official having au-
6 thority to obligate or expend such funds (1) that the Unit-
7 ed Nations undertaking is a peacekeeping mission, (2)
8 that such undertaking will involve United States Armed
9 Forces under the command or operational control of a for-
10 eign national, and (3) that the President's military advi-
11 sors have not submitted to the President a recommenda-
12 tion that such involvement is in the national security inter-
13 ests of the United States and the President has not sub-
14 mitted to the Congress such a recommendation.

15 SEC. 611. None of the funds made available in this
16 Act shall be used to provide the following amenities or per-
17 sonal comforts in the Federal prison system—

18 (1) in-cell television viewing except for prisoners
19 who are segregated from the general prison popu-
20 lation for their own safety;

21 (2) the viewing of R, X, and NC-17 rated mov-
22 ies, through whatever medium presented;

23 (3) any instruction (live or through broadcasts)
24 or training equipment for boxing, wrestling, judo,

1 karate, or other martial art, or any bodybuilding or
2 weightlifting equipment of any sort;

3 (4) possession of in-cell coffee pots, hot plates,
4 or heating elements; or

5 (5) the use or possession of any electric or elec-
6 tronic musical instrument.

7 SEC. 612. None of the funds made available in title
8 II for the National Oceanic and Atmospheric Administra-
9 tion under the heading “Fleet Modernization, Shipbuild-
10 ing and Conversion” may be used to implement sections
11 603, 604, and 605 of Public Law 102–567.

12 SEC. 613. None of the funds made available in this
13 Act may be used for “USIA Television Marti Program”
14 under the Television Broadcasting to Cuba Act or any
15 other program of United States Government television
16 broadcasts to Cuba, when it is made known to the Federal
17 official having authority to obligate or expend such funds
18 that such use would be inconsistent with the applicable
19 provisions of the March 1995 Office of Cuba Broadcasting
20 Reinventing Plan of the United States Information Agen-
21 cy.

22 SEC. 614. Any costs incurred by a Department or
23 agency funded under this Act resulting from personnel ac-
24 tions taken in response to funding reductions included in
25 this Act shall be absorbed within the total budgetary re-

1 sources available to such Department or agency: *Provided*,
2 That the authority to transfer funds between appropria-
3 tions accounts as may be necessary to carry out this sec-
4 tion is provided in addition to authorities included else-
5 where in this Act: *Provided further*, That use of funds to
6 carry out this section shall be treated as a reprogramming
7 of funds under section 605 of this Act and shall not be
8 available for obligation or expenditure except in compli-
9 ance with the procedures set forth in that section.

10 SEC. 615. None of the funds made available in this
11 Act to the Federal Bureau of Prisons may be used to dis-
12 tribute or make available any commercially published in-
13 formation or material to a prisoner when it is made known
14 to the Federal official having authority to obligate or ex-
15 pend such funds that such information or material is sexu-
16 ally explicit or features nudity.

17 SEC. 616. Of the funds appropriated in this Act
18 under the heading “OFFICE OF JUSTICE PRO-
19 GRAMS—STATE AND LOCAL LAW ENFORCEMENT ASSIST-
20 ANCE”, not more than ninety percent of the amount to
21 be awarded to an entity under part Q of title I of the
22 Omnibus Crime Control and Safe Streets Act of 1968
23 shall be made available to such an entity when it is made
24 known to the Federal official having authority to obligate
25 or expend such funds that the entity that employs a public

1 safety officer (as such term is defined in section 1204 of
2 title I of the Omnibus Crime Control and Safe Streets Act
3 of 1968) does not provide such a public safety officer who
4 retires or is separated from service due to injury suffered
5 as the direct and proximate result of a personal injury
6 sustained in the line of duty while responding to an emer-
7 gency situation or a hot pursuit (as such terms are defined
8 by State law) with the same or better level of health insur-
9 ance benefits that are paid by the entity at the time of
10 retirement or separation.

11 SEC. 617. Of the funds in this Act appropriated for
12 a municipal or county jail, State or Federal prison, or
13 other similar facility for the confinement of individuals in
14 connection with crime or criminal proceedings, not more
15 than 90 percent of the funds otherwise authorized to be
16 made available to any such municipal or county jail, State
17 or Federal prison, or other similar facility, may be made
18 available when it is made known to the Federal official
19 having authority to obligate or expend such funds that the
20 authorities of such jail, prison, or other facility have not
21 reported to the Attorney General each death of any indi-
22 vidual who dies in custody in that jail, prison, or facility,
23 and the circumstances that surround that death.

24 SEC. 618. The amount provided in this Act for
25 “Equal Employment Opportunity Commission—Salaries

1 and Expenses” is increased by \$7,000,000, and the
2 amount provided for Small Business Administration, Dis-
3 aster Loan Program Account for administrative expenses
4 is reduced by \$8,000,000.

5 SEC. 619. (a) LIMITATION ON USE OF FUNDS TO
6 ISSUE CERTAIN PATENTS.—None of the funds made
7 available in this Act may be used by the Patent and
8 Trademark Office to issue a patent when it is made known
9 to the Federal official having authority to obligate or ex-
10 pend such funds that the patent is for any invention or
11 discovery of a technique, method, or process for perform-
12 ing a surgical procedure (defined as a treatment for curing
13 or preventing disease, injury, illness, disorder, or deform-
14 ity by operative methods, in which human tissue is cut,
15 burned, or vaporized by the use of any mechanical means,
16 laser, or ionizing radiation, or the penetration of the skin
17 or body orifice by any means), performing a medical proce-
18 dure (defined as a nonsurgical, nondiagnostic procedure
19 for curing or preventing a disease, injury, illness, disorder,
20 or deformity), or making a medical diagnosis (defined as
21 the identification of a medical condition or a disease or
22 disorder of a body).

23 (b) EXCEPTIONS.—The limitation established in sub-
24 section (a) shall not apply to the issuance of a patent when

1 it is made known to the Federal official having authority
2 to obligate or expend such funds that—

3 (1) the patent is for a machine, manufacture,
4 or composition of matter, or improvement thereof,
5 that is itself patentable subject matter, and the tech-
6 nique, method, or process referred to in subsection
7 (a) is performed by or is a necessary component of
8 the machine, manufacture, or composition of matter;
9 or

10 (2) the patent is for a new use of a composition
11 of matter or biotechnological process.

12 This Act may be cited as the “Departments of Com-
13 merce, Justice, and State, the Judiciary, and Related
14 Agencies Appropriations Act, 1997.”.

Passed the House of Representatives July 24, 1996.

Attest:

ROBIN H. CARLE,

Clerk.